



## Saint Paul Planning Commission

City Hall Conference Center Room 40

15 Kellogg Boulevard West

### Agenda

Christopher B. Coleman,  
Mayor

December 6, 2013

8:30 – 11:00 a.m.

Saint Paul  
Planning Commission

Chair

Barbara A. Wencil

First Vice Chair

Elizabeth Reveal

Second Vice Chair

Paula Merrigan

Secretary

Daniel Ward II

**I. Approval of minutes of November 1<sup>st</sup> and November 15, 2013.**

**II. Chair's Announcements**

**III. Planning Director's Announcements**

**IV. Zoning Committee**

**SITE PLAN REVIEW** – List of current applications. *(Tom Beach, 651/266-9086)*

#### **NEW BUSINESS**

#13-247-486 ABRA Auto Body & Glass – Conditional use permit for an auto body shop. 1190 University Avenue West between Griggs and Dunlap.  
*(Jake Reilly, 651/266-6618)*

#13-247-501 Transition Homes Corporation – Conditional use permit for transitional housing facility with modifications of the permitted number of residents (25 currently permitted, 31 proposed). 1956 Feronia Avenue SE corner at Prior.  
*(Jake Reilly, 651/266-6618)*

#13-247-474 BLD Property Management – Establishment of legal nonconforming use status as an administrative office. 260 Aurora Avenue between Galtier and Marion. *(Hilary Holmes, 651/266-6612)*

**V. Transportation Committee**

Saint Paul Streetcar Feasibility Study – Release draft for public review and set a public hearing on January 24, 2014. *(Michelle Beaulieu, 651/266-6620)*

**VI. Neighborhood Planning Committee**

**VII. Comprehensive Planning Committee**

**VIII. Communications Committee**

**IX. Task Force/Liaison Reports**

**X. Old Business**

Planning Director  
Donna Drummond

**XI. New Business**

**XII. Adjournment**

Information on agenda items being considered by the Planning Commission and its committees can be found at [www.stpaul.gov/ped](http://www.stpaul.gov/ped), click on Planning.

Planning Commission Members: PLEASE call Sonja Butler, 651/266-6573, if unable to attend.

**Saint Paul Planning Commission &  
Heritage Preservation Commission**  
MASTER MEETING CALENDAR

**WEEK OF DECEMBER 2-6, 2013**

**Mon (2)** \_\_\_\_\_

**Tues (3)** \_\_\_\_\_

**3:30- Comprehensive Planning Committee**  
**5:00 p.m. (Merritt Clapp-Smith, 651/266-6547)**

**HAS BEEN CANCELLED**

**Weds (4)** \_\_\_\_\_

**Thurs (5)** \_\_\_\_\_

**5:00 p.m. Heritage Preservation Commission**

**Room 40 City Hall**  
Lower Level  
Enter building on 4<sup>th</sup> Street  
15 W. Kellogg Blvd.

**New Business**

Presentation of the proposed new Saints Ballpark, by the Department of Parks and Recreation and design team. This is directly adjacent to the local and National Register Lowertown Historic District and not located within the boundaries.  
(Spong, 651/266-6714)

**Fri (6)** \_\_\_\_\_

**(NEW LOCATION)**

**8:30- Planning Commission Meeting**  
**11:00 a.m. (Donna Drummond, 651/266-6556)**

**Room 41 City Hall**  
Conference Center  
15 Kellogg Blvd.

**Zoning..... SITE PLAN REVIEW – List of current applications. (Tom Beach, 651/266-9086)**

**NEW BUSINESS**

#13-247-486 ABRA Auto Body & Glass – Conditional use permit for an auto body shop. 1190 University Avenue West between Griggs and Dunlap.  
(Jake Reilly, 651/266-6618)

#13-247-501 Transition Homes Corporation – Conditional use permit for transitional housing facility with modifications of the permitted number of residents (25 currently permitted, 31 proposed). 1956 Feronia Avenue SE corner at Prior.  
(Jake Reilly, 651/266-6618)

#13-247-474 BLD Property Management – Establishment of legal nonconforming use status as an administrative office. 260 Aurora Avenue between Galtier and Marion. (Hilary Holmes, 651/266-6612)

***Transportation Committee.....*** Saint Paul Streetcar Feasibility Study – Release draft for public review and set a public hearing on January 24, 2014. (*Michelle Beaulieu, 651/266-6620*)

Butler\planning commission\Calendars\December 2-6, 2013



CITY OF SAINT PAUL  
Christopher B. Coleman, Mayor

375 Jackson Street, Suite 220  
Saint Paul, Minnesota 55101-1806

Telephone: 651-266-8989  
Facsimile: 651-266-9124  
Web: [www.stpaul.gov/dsi](http://www.stpaul.gov/dsi)

## SITE PLAN REVIEW COMMITTEE

**Tuesday, December 3, 2013  
2nd Floor Conference Room  
375 Jackson Street, Suite 218**

| <u>Time</u> | <u>Project Name and Location</u>   |
|-------------|--|
| 9:00        | CP Rail Yard access road and grading<br>1010 Shop Road   |
| 10:00       | Legislative Office Building and Parking Ramp at 80 Sherburne (preliminary meeting)<br>Lot C Parking at 100 Sherburne (Preliminary meeting) |

### **Applicants should plan to attend this meeting.**

At this meeting you will have a chance to discuss the site plan for your project with Saint Paul's Site Plan Review Committee. The Committee is made up of City staff from Zoning, Traffic, Sewers, Water, Public Works, Fire Inspections, and Parks. You are encouraged to bring your engineer, architect, or contractor with you to handle any technical questions raised by city staff. The purpose of this meeting is to simplify the review process by letting the applicant meet with staff from a number of departments at one time. Staff will make comments and ask questions based on their review of the plans. By the end of the meeting you will know if the site plan can be approved as submitted or if revisions will be required. Staff will take minutes at the meeting and send you a copy.

The meeting room is on the skyway level and 25' to your left as you get out of the elevator.

### **Parking**

A few free parking spaces are available in our visitor parking lot off of 6<sup>th</sup> Street at Jackson. Parking is also available at on-street meters. The closest parking ramp is on Jackson one block south of our office between 4<sup>th</sup> and 5<sup>th</sup> Street.

If you have questions, please contact Tom Beach at 651-266-9086 or [tom.beach@ci.stpaul.mn.us](mailto:tom.beach@ci.stpaul.mn.us).

**Saint Paul Planning Commission  
City Hall Conference Center  
15 Kellogg Boulevard West**

**Minutes November 1, 2013**

A meeting of the Planning Commission of the City of Saint Paul was held Friday, November 1, 2013, at 8:30 a.m. in the Conference Center of City Hall.

**Commissioners Present:** Mmes. Merrigan, Noecker, Perrus, Reveal, Shively, Thao, Wang, Wencl; and Messrs. Connolly, Edgerton, Gelgelu, Lindeke, Makarios, Nelson, Ochs, Oliver, Schertler, Spaulding, Ward and Wickiser.

**Commissioners Absent:** Ms. \*Porter.  
\*Excused

**Also Present:** Donna Drummond, Planning Director; Merritt Clapp-Smith, Jake Reilly, Hilary, Holmes, Bill Dermody, Scott Tempel, Jamie Radel, Mike Richardson, and Sonja Butler, Department of Planning and Economic Development staff.

**I. Approval of minutes October 18, 2013.**

**MOTION:** *Commissioner Reveal moved approval of the minutes of October 18, 2013. Commissioner Merrigan seconded the motion. The motion carried unanimously on a voice vote.*

**II. Chair's Announcements**

Chair Wencl had no announcements.

**III. Planning Director's Announcements**

Donna Drummond announced that the Department of Natural Resources (DNR) is restarting the Mississippi River Critical Area rulemaking process that was put on hold at the end of 2010, when DNR didn't meet the deadline established by the state legislature. The rule making process was very controversial at the time. The 2013 legislature reauthorized the rulemaking process so the DNR has picked up where it left off with the draft rules and has been meeting with staff from the cities in the Critical Area over the late summer early fall to get comments and suggestions on the draft rules. DNR will restart the public rulemaking input process shortly, meeting with property owners, stakeholders and various interest groups. This informal input process will be followed by a formal process with a public hearing and recommendation to the governor. At some point in 2014 DNR will likely inform all of the cities to update their Critical Area (River Corridor) regulations to be consistent with these new rules.

#### IV. Zoning Committee

**SITE PLAN REVIEW** – List of current applications. (*Tom Beach, 651/266-9086*)

One item came before the Site Plan Review Committee on Tuesday, October 29, 2013:

- Northern Metals End of Life Vehicle Facility at 521 Barge Channel Road.

#### **NEW BUSINESS**

#13-239-519 Feline Rescue Inc. – Change of nonconforming use from elevator service with workshop to office/meeting & storage with a cat intake room and sick cat isolation rooms. 600 Fairview Avenue N, NE corner at Thomas. (*Bill Dermody, 651/266-6617*)

***MOTION:*** *Commissioner Nelson moved the Zoning Committee's recommendation to approve the change of legal nonconforming use. The motion carried unanimously on a voice vote.*

#13-235-708 David and Robin Brown – Reestablishment of nonconforming use as a duplex. 1685 Lincoln Avenue, NE corner at Cambridge. (*Scott Tempel, 651/266-6621*)

Commissioner Ward said that at the hearing there was a large number of neighbors who signed the petition in favor, but was there any opposition?

Commissioner Nelson replied no, there was no one there who spoke in opposition to this application and there were a number of letters that were in favor in addition to the petition.

***MOTION:*** *Commissioner Nelson moved the Zoning Committee's recommendation to approve the re-establishment of legal nonconforming use subject to an additional condition. The motion carried unanimously on a voice vote.*

13-236-068 O'Reilly Automotive Stores Inc. – Rezone from VP Vehicular Parking to B2 Community Business District. 1653 – 1659 Huron Street, between Larpenteur and Idaho Avenue West. (*Jamie Radel, 651/266-6614*)

***MOTION:*** *Commissioner Nelson moved the Zoning Committee's recommendation to approve the rezoning. The motion carried unanimously on a voice vote.*

#13-239-537 AT & T (Skyline Building) – Conditional use permit to install 9 cell antennas. 633 Robert Street South, between King and Baker. (*Jake Reilly, 651/266-6618*)

Commissioner Ochs asked if there were a condition or restriction to the distance that an antenna or similar structure can protrude from the exterior of the building. He sees a limitation on the height but not the distance horizontally.

Jake Reilly, PED staff said that the applicant must conform to the uniform building code and hypothesized that physics would limit the distance from a building an antenna could protrude horizontally.

Commissioner Ochs said that he does not see any issue with the AT&T antennas but he did not see that come up in the list of conditions or requirements, and asked what would preclude someone from extending a 10-foot antenna directly outward.

Commissioner Merrigan said that they have approved cell phone towers and antennas based on their similarity to other uses and using conditions from the regulations regarding those similar uses. She stated that these are all vertical items therefore something sticking out of a building horizontally wouldn't be similar enough. However, she doesn't believe that there is any provision in the code that says you can't go out however far except if it conflicts with the setback requirement in some way. Merrigan surmised that the City doesn't have a parameter for that sort of horizontal item because the approvals of antennas, windmills and cell towers are based historically on other kinds of buildings or types of uses that are vertical. If there is still concern in the future then the commission might want to address that.

Chair Wencil said that if the applicant was thinking about extending an antenna horizontally from a building, then they would likely have a freestanding antenna.

Commissioner Nelson stated, regarding setbacks, that the antenna would need to conform to the setback requirements of the district. That would be the overriding factor at this point, regarding how far you can extend toward the property line, he said.

**MOTION:** *Commissioner Nelson moved the Zoning Committee's recommendation to approve the conditional use permit. The motion carried unanimously on a voice vote.*

#13-240-134 Brett Ripley – Reestablishment of nonconforming use as a 4 plex. 1685 Taylor Avenue, between Aldine and Charlotte. (Jamie Radel, 651/266-6614)

*Commissioner Nelson announced that this case has been laid over to the November 7, 2013 Zoning Committee meeting.*

Commissioner Nelson announced the items on the agenda for the next Zoning Committee meeting on Thursday, November 7, 2013.

V. **Community Plan Roadmap** – Informational presentation by Andrew Tran, Center for Urban and Regional Affairs, University of Minnesota.

Merritt Clapp-Smith, PED staff, briefly explained how the Community Plan Roadmap project was conceived and combined with a similar project of Macalester-Groveland, resulting in the study to be presented today by CURA researcher Andrew Tran.

Andrew Tran, Center for Urban and Regional Affairs, University of Minnesota, said the project was a collaboration between the University of Minnesota, MacGroveland Community Council and the City of Saint Paul; it was an opportunity to understand how communities and district councils operate within the context of city planning and how the City operates with the district councils and communities. The project was organized by first understanding best practices in neighborhood planning at a national level and then evaluating practices at the local level through focus groups and interviews with community organizations and observation of local planning efforts. The information and observations informed areas for growth and what tools would help



both the City and the district councils communicate with and improve the community planning process.

Afton Martens, MacGroveland Community Council, said that they were excited to work with Andrew because they needed someone that was visual, creative and understood planning and engagement. Community engagement in planning is not a small undertaking - you have to be able to understand the technical aspects of community planning while being able to engage the community in it and explain its purpose. Andrew helped develop a training brochure for district council members and neighbors to use in community planning engagement, so that outreach could have a broader impact than what District Council and City staff are able to do on their own. The goal is to have the community itself engaging those around them. In this way and through special community events and a large survey, Mac-Groveland has reached more people than in past planning efforts. If you want to engage the community about community planning the last thing you want to talk about are dull aspects of a community plan. You want to make it fun and visual. When it comes to district councils, the planning process is not a simple process. They need it described in a manner that can be grasped by all district council staff and by board leaderships so they can help translate that to the community. The Community Plan Roadmap and other tools that Andrew identified will help this happen.

Andrew Tran added that it is important to ask questions that solicit input from all populations in the community. For instance, he observed a tension between homeowners and students in Mac-Groveland. Engagement should reach everyone and through input provide insight into legacy issues such as differences in perspective between long-time owners, renters, students and transient populations.

Commissioner Ward asked if there were any revelations that came out of the study, that were either new or not part of best practices from elsewhere. He asked if Andrew tracked who he included in the data collection and who he might have missed but wanted to reach.

Mr. Tran said it is very helpful to involve community members who are tapped into and observing daily life and different activities in the community. They may see or learn about populations or groups that aren't commonly known and be able to suggest ways to connect to them. A boots on the ground approach of community planning can be very effective.

Ms. Martens replied that they want to engage people who live, work, learn and play in the neighborhood and understand their interests. She found that it is really difficult to engage renters, and they have not done as good of a job as they would like to engage students, so they are still figuring out how to address that. They will also be looking at race and other demographic information and compare that to who they have engaged to understand how representative the input is and where to direct extra outreach. Their goal is to engage about 10% of the neighborhood -- there are about 20,000 people in the MacGroveland neighborhood, so they want to engage 2,000 or more and have them be as representative as possible, with a focus on who has been underrepresented in the past.

Commissioner Noecker said that she is on a district council and is eager for them to get their hands on the "Roadmap" report. She would also like to see a comparable study and report on plan implementation tools.

Mr. Tran said the report is available on CURA website, as well as on the City's web site under Neighborhood Plans.

Mr. Tran said that implementation is essential to make a plan successful, and depends on how well the implementation strategy is set up and executed. There was a student who worked with District 3 (WSCO) that developed a series of indicators to track the success of neighborhood strategies.

Ms. Clapp-Smith said that City staff are working with district councils to see plans as action strategy documents to guide neighborhood activities and priorities after the plan is adopted.

Commissioner Spaulding said when thinking long term, most district councils have an established board and system that some constituents are not comfortable serving on. If you want to engage a broader base of people, district council boards may need to change the way they think about their role and how they operate.

Ms. Martens said that board meetings and committees are really valuable, but are not the only way to interact with the community. They need to get out more and interact with people where they are living, working and playing. She would like to work with Andrew to create some type of kiosk or traveling tool that can move around the community and show the preliminary plan to solicit additional feedback. There is also an opportunity to work with one of the City's artists-in-residence to develop interactive and playful ways to engage with the community. There are lots of other community councils that they are learning from that are already doing cool stuff.

Commissioner Spaulding asked how they'll address shifting the culture and expectations of the district council board.

Ms. Martens said they must talk on a regular basis about -- what does it mean to be a board member; how much of a time commitment is it; what are the expectations? Some people may be more appropriate as a board member and others as a general volunteer -- what is the difference and how can people be more effective in the role they choose?

Commissioner Connolly said that if you want to get out in the community, try to harness the book/wine clubs as a place to talk about community stuff. Ms. Martens concurred and said that many kinds of group or gatherings can be a place to talk about neighborhood issues.

Commissioner Edgerton asked how this information will be shared with the other district councils.

Mr. Tran replied that they have been aware of this the process and invited to participate. He has also made a big effort to make himself present at any meeting where he would have an opportunity to talk about this, such as the recent District Councils executive directors meeting. A copy of the report has been sent to all district councils and posted on the City's website. The district councils just need to be aware that these tools exist and make an effort to use them.

Ms. Clapp-Smith, said that neighborhood planning staff will discuss the report and use it as a resource in their work with district councils.

Commissioner Nelson asked what the "four key questions" are the report references.

Ms. Martens said the four questions are Keep, Improve, Stop and Start (KISS) -- What do you love about your neighborhood that is important to **Keep**? What should be **Improved**? **Stopped**? and **Started**?

Commissioner Thao said that on the implementation side you have to build ownership of the strategies to pursue them. It is critical to get people to own it, otherwise it's just a plan that sits on the shelf and on the City's website. To help build ownership, you should check back with people often and give them information about how their input was helpful, what priorities emerged, and how they can play a role in implementation.

Mr. Tran said they heard from communities that they often don't know what happens after all the engagement. He agrees that you have to go back into the community and say 'this is what we heard, is it accurate, and is there anything you want to add?' District councils should continuously collect this information at all their activities and events and communicate them back in various ways.

Commissioner Schertler said that planning conversations between communities and the City need to happen in both directions. If something the community wants to do requires a municipal role, then it's the responsibility of the municipality to communicate what's feasible. Communities shouldn't be left to develop unrealistic plans that can't be implemented. There should be some steps identified that make clear the City role in providing input and feedback as plans develop.

Commissioner Reveal said that this has applicability way beyond district councils, zoning, and land use issues. It could apply to a process for community health plans or a dozen other things and there would be wide interest. PED should share this process and engagement model with other City agencies and non-profits, because there are so many people that either by federal rules have to go through community processes or choose to. It would also be very helpful for this to get incorporated into the curricula of not just public policy but social work, medicine and a few other things where this kind of outreach is required.

Commissioner Edgerton suggested that one thing to think about, especially with limited resources, is identifying community activities that are easy to accomplish. You need to build on small successes to get to bigger ones; through the easy ones you can build momentum and critical mass to take on the big things.

Commissioner Schertler commented that it's important to know the elements of a strong community and how it can come together to accomplish something. Phalen Boulevard would be an example of where a community was able to gather and apply pressure for good results. What made that agenda strong was a combination of stakeholders -- bankers, community employers, public sector, school district, etc. -- there were people involved who had the ability to exert force and do so more effectively by working together.

## **VI. Comprehensive Planning Committee**

Commissioner Merrigan announced that at their last meeting they discussed bringing forward a zoning text amendment and a request for a public hearing at the next Planning Commission meeting regarding transit streets and some parking requirements to make them more consistent with the code. Their next meeting will be on Tuesday, November 12, 2013.

**VII. Neighborhood Planning Committee**

Commissioner Oliver announced that the next Neighborhood Planning Committee meeting on Wednesday, November 6, 2013 has been cancelled.

**VIII. Transportation Committee**

Commissioner Spaulding announced that at their last meeting they met on the corner of University and Raymond Streets with Al Czaia from the Department of Public Works, who led them on a walking tour of the West Midway to view recent sidewalk improvements that have been done to make better connections from the light rail corridor to area businesses. Al led them through the constraints, challenges and successes of building new sidewalks in a long established City environment that has a lot of topographic issues.

Commissioner Spaulding also announced the items on the agenda for the next Transportation Committee meeting on Monday, November 4, 2013.

**IX. Communications Committee**

No report.

**X. Task Force/Liaison Reports**

Commissioner Reveal announced that the West Side Flats Task Force will be meeting on Wednesday, November 6, 2013 at the (NeDA) Neighborhood Development Alliance office to review the first draft of the updated West Side Flats Master Plan and Development Guidelines.

**XI. Old Business**

None.

**XII. New Business**

None.

**XIII. Adjournment**

Meeting adjourned at 10:05 a.m.

Recorded and prepared by  
Sonja Butler, Planning Commission Secretary  
Planning and Economic Development Department,  
City of Saint Paul

Respectfully submitted,



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Donna Drummond  
Planning Director

Approved \_\_\_\_\_  
(Date)

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Daniel Ward II  
Secretary of the Planning Commission

PED\butler\planning commission\minutes\November 1, 2013

**Saint Paul Planning Commission  
City Hall Conference Center  
15 Kellogg Boulevard West**

**Minutes November 15, 2013**

A meeting of the Planning Commission of the City of Saint Paul was held Friday, November 15, 2013, at 8:30 a.m. in the Conference Center of City Hall.

**Commissioners Present:** Mmes. Merrigan, Noecker, Perrus, Reveal, Thao, Wang, Wencl; and Messrs. Connolly, Edgerton, Gelgelu, Nelson, Oliver, Schertler, and Ward.

**Commissioners Absent:** Mmes. \*Porter, \*Shively, and Messrs. \*Lindeke, \*Makarios, \*Ochs, Spaulding, and Wickiser.

\*Excused

**Also Present:** Donna Drummond, Planning Director; Tom Beach, Department of Safety and Inspections, Allan Torstenson, Josh Williams, Hilary Holmes, Jamie Radel, and Sonja Butler, Department of Planning and Economic Development staff.

**I. Approval of minutes November 1, 2013.**

Chair Wencl announced that the minutes are not available at this time. However they will be ready for approval at the next Planning Commission meeting.

**II. Chair's Announcements**

Chair Wencl announced that this month's (APA) American Planning Association magazine talks about Saint Paul in terms of the Ford Plant, land reclamation and other automobile plants in other parts of the country.

**III. Planning Director's Announcements**

Donna Drummond announced that the City Council approved the Urban Agriculture zoning amendments. There were a few tweaks to what the Planning Commission had recommended. The Council was not comfortable with allowing sales of produce from vacant plots of land in residentially zoned areas more than a few times a year rather than what the Planning Commission recommended which was several times a week. There was also a minor change to the language on the need for building permits structures for structures over 120 feet, which include hoop houses. DSI will evaluate each application and determine if a permit is needed.

**IV. Zoning Committee**

**SITE PLAN REVIEW** – List of current applications. *(Tom Beach, 651/266-9086)*

One item to come before the Site Plan Review Committee on Tuesday, November 26, 2013:

- Lowertown Ballpark, 351 East 5<sup>th</sup> Street. Plans are still being developed. The designers are looking for comments from the City on the current plans before preparing more detailed plans that will be submitted later for a formal site plan review.

## **OLD BUSINESS**

#13-240-134 Brett Ripley – Reestablishment of nonconforming use as a 4 plex. 1685 Taylor Avenue West between Aldine and Charlotte. (*Jamie Radel, 651/266-6614*)

Commissioner Edgerton asked about the reason for the one “no” vote on the committee recommendation for denial.

Commissioner Reveal explained that she thought that there was ambiguity about the finding regarding reasonable use of the property. There was concern about it being used for student housing and she is a proponent of student housing. It seemed to her that a 4 plex it would be alright.

**MOTION:** *Commissioner Nelson moved the Zoning Committee’s recommendation to deny the reestablishment of nonconforming use. The motion carried 13-1 (Connolly) on a voice vote.*

## **NEW BUSINESS**

#13-243-575 Gracewood Assisted Living/Franciscan Sisters Site – Rezone from R3 One Family Residential to RM2 Multi-Family Residential. 1388 Prior Avenue S., NE corner at Norfolk. (*Merritt Clapp-Smith, 651/266-6547*)

**MOTION:** *Commissioner Nelson moved the Zoning Committee’s recommendation to approve the rezoning. The motion carried unanimously on a voice vote.*

#13-243-645 Gracewood Assisted Living/Franciscan Sisters Site – Conditional use permit for assisted living facility with memory care. 1388 Prior Avenue S., NE corner at Norfolk. (*Merritt Clapp-Smith, 651/266-6547*)

**MOTION:** *Commissioner Nelson moved the Zoning Committee’s recommendation to approve the conditional use permit subject to an additional condition. The motion carried unanimously on a voice vote.*

#13-234-671 Associated Bank – Site plan review for a new bank building with drive-thru window. 202 Snelling Avenue North, NE corner at Dayton. (*Tom Beach, 651/266-9086 and Josh Williams, 651/266-6659*)

Commissioner Nelson reported that the Committee’s action taken was to forward this application on to the Planning Commission with no recommendation.

Commissioner Merrigan said that the committee made no recommendation because of information presented at the hearing suggesting that a conditional use permit might be required to increase the surface parking maximum, which has since been determined not to be the case.

Josh Williams, PED staff, provided background on the relationship between the Associated Bank project and development across Dayton at the location of the current Associated Bank building. Once it is ready for occupancy, bank operations would move to the new building, clearing the way for redevelopment of the south block as the Vintage on Selby. The Associated Bank site plan is designed to stand alone. There will be a separate Zoning Committee hearing on the site plan review for the Vintage on Selby project. Mr. Williams noted a mistake in the floor area calculation in the site plan drawing that was originally submitted, which resulted in a mistake in the parking requirement calculation which is based on floor area.

Commissioner Reveal asked if the project is within the surface parking maximum based on the corrected floor area of the building. Mr. Williams replied that is correct.

Commissioner Nelson discussed revisions to the site plan before the commission that address issues raised by the Zoning Committee, one being improved provisions for pedestrians between the parking lot and the building, and another being the design of one of the islands in the parking lot.

***Commissioner Perrus made a motion to approve the site plan. Commissioner Reveal seconded the motion.***

Commissioner Nelson suggested that the direction of the drive-through lanes should be reversed to avoid the possibility of blocking the handicapped-accessible parking spaces, and discussed testimony regarding concerns he shares about traffic congestion in the area.

Commissioner Nelson proposed an amendment to the motion to add a condition that the applicant understands that modifications to the site plan regarding vehicular and pedestrian traffic circulation may be required once the overall development of the site plan for the adjacent Vintage on Selby project is reviewed.

Commissioner Perrus did not accept that as a friendly amendment to her motion. She said the direction of the drive-through to serve business customers is a business decision, and that procedurally the commission needs to make a decision based on the proposed site plan, not based on a future development that has not been reviewed.

Commissioner Schertler stated his agreement with Commissioner Perrus. He noted that traffic in the area is a macro problem with solutions that are larger than a single development.

Commissioner Ward stated his general agreement with both, but if there is an issue with how the handicap parking is affected by the traffic pattern, that's a site plan issue.

Commissioner Oliver asked about a Travel Demand Management Plan and Traffic Impact Study for the larger project.

Mr. Williams, PED staff, explained that the Travel Demand Management Plan and Traffic Impact Study are focused on the new traffic generated by the Whole Foods and the housing that's being proposed for the Vintage on Selby, and account for overall development. He said the study was complete and under review by staff, and is not necessary for just the smaller bank project.



Commissioner Oliver noted that the second driveway from Dayton is gone on the new site plan, and asked if it is needed without the possible future parking lot to the east.

Mr. Williams said the second curb cut is not needed for the bank. The possible additional parking to the east would not be to serve the Vintage and the Whole Foods or the bank, but rather that it was conceived as a community parking lot. The existing Associated Bank parking lot has more parking than they need, so they have allowed community use of it for businesses in the area. With the proposed redevelopment, that parking would no longer be available. The neighborhood and area businesses have been working with PED staff to develop a plan for additional parking east of the new bank parking lot to provide for the needs of area businesses, but they are not currently willing to take on the cost of the lot.

Commissioner Nelson said he worded his motion the way he did because he doesn't want to slow down the development, but just wanted to make it so that there was still an opportunity to make some modifications to this plan as needed for adjacent development.

Mr. Williams noted that finding #2 indicates 48 spaces in the lot; it is actually 49 spaces, so strike the 48 and replace with 49.

*Commissioner Perrus moved to approve the site plan. The motion carried 11-2 (Nelson, Ward) with 1 abstention (Edgerton).*

## **V. Comprehensive Planning Committee**

T1-T2 Transit Street Zoning Amendment – Approve resolution initiating study, release draft for public review, and schedule a public hearing for January 10, 2014.  
(Hilary Holmes, 651/266-6612)

Hilary Holmes, PED staff said that the transit street definition was added to the code in 2004 along with Traditional Neighborhood zoning districts, applies only to T1 and T2 districts, and applies to only two provisions. In T2 the Planning Commission may approve a conditional use permit to allow slightly more building height, up to 45 ft. from the normal 35 ft. maximum height, “when the structure is within 600 feet of an existing or planned transit stop on a designated transit street.” In T1 and T2 districts, for properties within ¼ mile of a transit street, the minimum required off-street parking for residential uses may be reduced by 25%.

In 2004 when it was added to the code it also applied to a 25% reduction in the parking requirement for nonresidential uses in T1-T2 districts along transit streets. In 2010, commercial off street parking requirements were reduced more than this city-wide and this nonresidential reduction along transit streets became redundant and was deleted.

In 2011 the Central Corridor Zoning Study eliminated all parking requirements within ¼ mile University Avenue. This made the reduced parking requirements for residential uses along University Avenue redundant. It's also redundant along Wabasha and Robert Streets downtown, where there are no parking requirements.

T1-T2 districts are specifically intended for use along transit routes where compact, mixed-use T1-T2 development supports transit use, and where the availability of transit would generally justify a 25% reduction in the residential parking requirement for T1-T2 development. In T3 and T4 districts the minimum parking requirement for residential uses is reduced by 25%. It is

appropriate to do this in T1 & T2 districts, making this provision consistent in T districts generally and simplifying the code.

Comprehensive Plan Policy LU-1.3 is to study T districts to determine how they can accommodate more intense residential development, focusing on density and other development standards. It would be consistent with this to consider providing authority for the Planning Commission to approve a conditional use permit to allow slightly more building height, up to 45 ft. from normal 35 ft. maximum height, in T2 districts generally, rather than just within 600 feet of an existing or planned transit stop on a designated transit street.

Commissioner Ward asked if the draft amendment related to height would change how building height is defined.

Donna Drummond, Planning Director, explained that building height is defined in the code, and is measured from the average around the base of the building, and if there's a pitched roof it's typically measured to the average height between the eaves and ridge.

Commissioner Merrigan said the proposed amendment would not change how building height is defined.

**MOTION:** *Commissioner Merrigan moved on behalf of the Comprehensive Planning Committee to release the draft for public review and set a public hearing on January 10, 2014. The motion carried unanimously on a voice vote.*

**VI. Strategic Stormwater Solutions for Transit-Oriented Development – Informational presentation by Wes Saunders-Pearce, City of Saint Paul Water Resources Coordinator.**

Wes Saunders-Pierce is the Water Resources Coordinator for the City of Saint Paul. Joni Giese, from SRF Consulting, accompanied him. Mr. Saunders-Pierce was at the Planning Commission in April of 2012 providing an informational presentation on the study, which at that time was called the Central Corridor Stormwater Green Infrastructure Plan. The study is now called Strategic Stormwater Solutions for Transit Oriented Development. It's a little broader in applicability and a lot of that has to do with the funding partners. Most of the funding for this study was provided by the Metropolitan Council through the Corridors of Opportunity program and they also received funding from the Mississippi Watershed Management Organization. These funders were looking for ideas and recommendations that would have broad application across the region. In response to this work, Capital Region Watershed District has officially adopted a policy to support shared stacked green infrastructure. The report should be finalized by the end of the calendar year and then will be posted on the PED web site and the Met Council will also be posting the report and all the technical work on their web site.

Commissioner Reveal said water management is a major theme of the West Side Flats planning work. A draft of the plan will be out for public discussion in a month or two. It's an opportunity to demonstrate best management practices in this area and also to get the amenities that they think are necessary to stimulate development.

Commissioner Ward said that the key to making all of this work is identifying partnering opportunities, whether it's infill development on small sites or larger redevelopment areas. It's

important that this happen in the early phases of planning for projects. He spoke in favor of incentives instead of a regulatory approach to promoting these concepts.

Commissioner Edgerton stated that the difficulty of this is ownership, maintenance, and paying for it when facilities are shared. The idea of blurring the ownership lines with a shared facility, including the lines between public and private makes a lot of sense in terms of efficiency. The challenge is those facilities are often going to end up on public property. The real challenge is who pays for this, who owns it, who builds it, who maintains it, who replaces it in 15 years or whatever. In a way it's transferring the cost from the private side to the public side. How will those costs be reallocated to make sure that the public is not taking on a greater cost for these things than previously?

Mr. Saunders-Pearce said those are exactly the things that they wrestled with throughout the course of the project. There's a lot of uncertainty about who's going to pay for it or who's going to own it. The study developed process flow charts to help guide that discussion and show what the options are. They did not identify preferred alternatives as they felt it was not the role of this study. There still needs to be some hard discussions about how this can be implemented and start to move in that direction.

Commissioner Noecker likes the idea of property owners working to figure out how to manage stormwater together. However, development review processes are set up to do the reverse because individual projects come in for review and need to meet these requirements. Perhaps looking at incentives or community education can help people see an advantage in working together on their plans as opposed to just trying to get their building done as quickly as possible.

Mr. Saunders-Pearce said these discussions need to happen very early in a project. It's about timing and also being clearer about how the benefits may support the development, such as open space that can serve as stormwater management.

Commissioner Nelson stated that some of the things mentioned as possibilities like toilet flushing are not allowed by current code, but are there efforts underway that would allow modifying the code to allow grey water to be utilized? Also, Commissioner Edgerton talked about ownership and he thinks about ownership in a different way, because he has been working on some projects in the southwest recently. There ownership means who owns water and you would not be allowed to retain water within your own parcel because somebody else has ownership downstream and who knows with climate change where we're going to end up down the road. We could get to the point where water is very valuable and how does that tie into the whole issue of, we've been concentrating on storage and treatment whereas at some point he can see St. Louis saying, wait a minute, you have to keep that coming down the Mississippi so they get some of it.

Wes said that it is very important to think about climate change and there are very interesting dynamics in the west with water rights. On a different note he said the Lowertown regional ball park is looking at rainwater for harvesting and reuse not only for irrigation but also to bring into the ball park facility for toilet flushing. The questions

posed are things being worked through now and they hope to use that effort to demonstrate where the opportunities and where the challenges are.

**VII. Neighborhood Planning Committee**

Commissioner Oliver announced the items on the agenda for the next Neighborhood Planning Committee meeting on Wednesday, November 20, 2013.

**VIII. Transportation Committee**

Commissioner Wang reported that at their last meeting they had two staff reports, one on the Ford Parkway Reconstruction from Snelling to Howell, the other was on integrated parking management strategies. Commissioner Wang also announced the items on the agenda for the next meeting Monday, November 18, 2013.

**IX. Communications Committee**

No report.

**X. Task Force/Liaison Reports**

Commissioner Reveal announced that the West Side Flats community open house is Wednesday, November 20, 2013 at the Wellstone Center, 6:30 p.m.

**XI. Old Business**

None.

**XII. New Business**

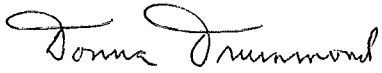
None.

**XIII. Adjournment**

Meeting adjourned at 10:25 a.m.

Recorded and prepared by  
Sonja Butler, Planning Commission Secretary  
Planning and Economic Development Department,  
City of Saint Paul

Respectfully submitted,



---

Donna Drummond  
Planning Director

Approved \_\_\_\_\_  
(Date)

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Daniel Ward II  
Secretary of the Planning Commission

PED\butler\planning commission\minutes\month 00, 201X

**AGENDA  
ZONING COMMITTEE  
OF THE SAINT PAUL PLANNING COMMISSION  
Thursday, November 21, 2013 3:30 P.M.  
City Council Chambers, Room #300  
Third Floor City Hall - Saint Paul, Minnesota**

**NOTE:** The order in which the items appear on this agenda is not necessarily the order in which they will be heard at the meeting. The Zoning Committee will determine the order of the agenda at the beginning of its meeting.

**APPROVAL OF NOVEMBER 7, 2013, ZONING COMMITTEE MINUTES**

**SITE PLAN REVIEW** – List of current applications (Tom Beach, 651-266-9086)

**NEW BUSINESS**

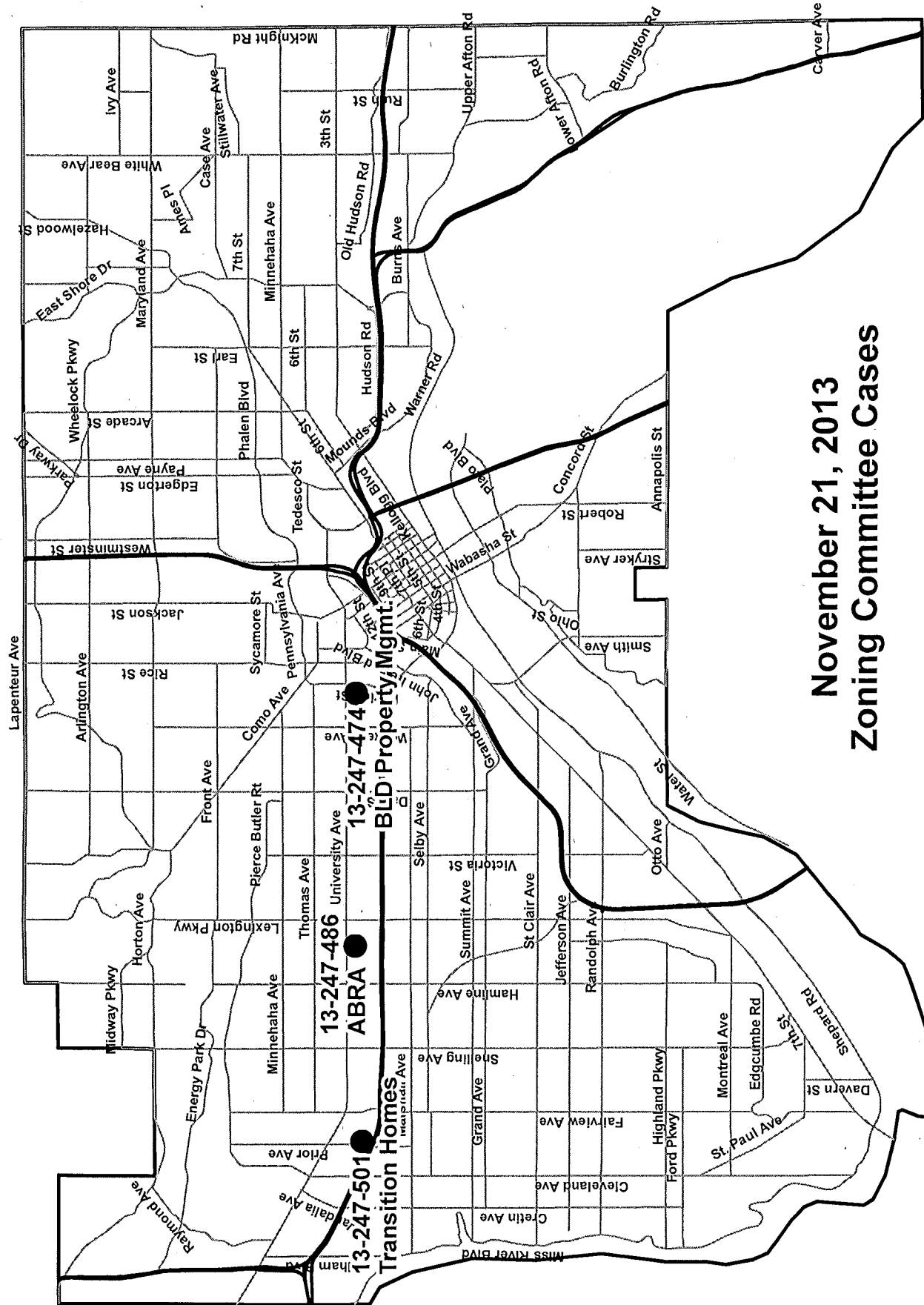
- 1      13-247-486   ABRA Auto Body & Glass**  
Conditional use permit for an auto body shop  
1190 University Ave W, between Griggs and Dunlap  
T4  
Jake Reilly      651-266-6618
  
- 2      13-247-501   Transition Homes Corporation**  
Conditional use permit for transitional housing facility with modifications of the permitted number of residents (25 currently permitted, 31 proposed)  
1956 Feronia Ave, SE corner at Prior  
OS  
Jake Reilly      651-266-6618
  
- 3      13-247-474   BLD Property Management**  
Establishment of legal nonconforming use status as an administrative office  
260 Aurora Ave, between Galtier and Marion  
RT2  
Hilary Holmes 651-266-6612

**ADJOURNMENT**

Information on agenda items being considered by the Zoning Committee can be found online at [www.stpaul.gov/ped](http://www.stpaul.gov/ped), then Planning, then Zoning Committee.

**ZONING COMMITTEE MEMBERS:** Call Samantha Langer at 266-6550 if you are unable to attend the meeting.

**APPLICANT:** You or your designated representative must attend this meeting to answer any questions that the committee may have.



## November 21, 2013 Zoning Committee Cases

## ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** ABRA Auto Body & Glass **FILE #** 13-247-486
  2. **APPLICANT:** Abway LLC **HEARING DATE:** November 21, 2013
  3. **TYPE OF APPLICATION:** Conditional Use Permit
  4. **LOCATION:** 1190 University Ave W, between Griggs and Dunlap
  5. **PIN & LEGAL DESCRIPTION:** 342923410051, Midway Industrial Division Subj To Esmt & Vac St Accruing & Fol; Part Of Lots 2,9,10, & Lot 11 Blk 1 & Part Of Lot A Blk 1 E Of Ext Cl Of Lot 4 & Part Of Lots 4,5 & Lot 6 Blk 2 All Lying Nly And Wly Of A Line Beg At Nw Cor Of S 200 Ft Of Blk 2 Th E 264 Ft
  6. **PLANNING DISTRICT:** 13 **PRESENT ZONING:** T4
  7. **ZONING CODE REFERENCE:** §65.701; §61.501
  8. **STAFF REPORT DATE:** November 13, 2013 **BY:** Jake Reilly
  9. **DATE RECEIVED:** November 4, 2013 **60-DAY DEADLINE FOR ACTION:** January 3, 2014
- 

- A. **PURPOSE:** Conditional use permit for an auto body shop
- B. **PARCEL SIZE:** Irregular parcel; 105,817 sq. ft. with approximately 170 feet of frontage along University Avenue
- C. **EXISTING LAND USE:** Auto body repair
- D. **SURROUNDING LAND USE:**
  - North: Commercial uses (B3)
  - East: Health and Fitness club (B3)
  - South: Parking and medical office (B3, OS)
  - West: Office (B3)
- E. **ZONING CODE CITATION:** §65.701 lists standards and conditions for auto body shops; §61.501 lists general conditions that must be met by all conditional uses
- F. **HISTORY/DISCUSSION:** In 1987 an application for a conditional use permit for a new car dealership (ZF#10180) was approved. In 1994 an application for a determination of similar use to determine if an auto body shop operating separately from the auto dealership at this site would be permitted in the B3 zoning district (ZF#94-087) was withdrawn after discussion with staff, when it was determined that auto body repair in leased space within an auto dealership in the B3 zoning district can be operated only as an accessory use to the dealership. In the letter withdrawing the application, the applicant (Midway Chevrolet/Hyundai Suzuki) stated that an auto body shop would only be operated as an accessory use to the dealership, and that a condition of the lease would be that if the dealership ceases to operate at this location the auto "body shop accessory use will also be terminated." In March of 2007 an application for a determination of similar use was made to determine whether the auto body shop is similar to an auto repair shop. The Zoning Administrator found that the "auto body shop was not similar to an auto repair shop or any other use permitted in a B3 zoning district." A public hearing on an application for establishment of legal nonconforming use status (Z.F. # 07-142-815) was held before the Zoning Committee of the Planning Commission on September 27, 2007. The application was subsequently withdrawn by the applicant, and an application for an interim use permit was made and approved by the City Council (Z.F. # 07-184-825) in November 2007. The interim use permit was extended by City Council in December 2012. In August 2013, the City Council made amendments to the zoning code to allow auto body shops to operate in T4 zoning districts with a conditional use permit.
- G. **DISTRICT COUNCIL RECOMMENDATION:** The District 13 Council had not made a recommendation at the time this staff report was prepared.
- H. **FINDINGS:**
  1. In August 2013 the City Council amended the zoning code to allow for auto body shops in T4 zoning districts with a conditional use permit. Pursuant to that action, Abway LLC has come



forward to apply for a conditional use permit for an auto body shop in a T4 zoning district at 1190 University Avenue.

2. §65.701 *Auto body shop* lists three standards that auto body shops must comply with:
  - a) *A ten (10) foot buffer area with screen planting and an obscuring wall or fence (not including cyclone fence with vinyl slats) shall be required along any property line adjoining a residential zoning district.* This condition is met. Abway LLC intends to install a 10-foot screening fence on the portion of the property used by ABRA Auto Body and Glass, as shown on the attached site plan.
  - b) *All repair work shall be done within an enclosed building. All vehicles awaiting repair shall be stored in an enclosed building or within an area enclosed by a wall or fence (not including cyclone fence with vinyl slats) that provides an opaque screen. There shall be no exterior storage of parts or merchandise.* This condition is met. The applicant states that all service and repair activities will occur within the building and there will be no outside storage of parts or merchandise.
  - c) *All trash shall be stored within an enclosed obscuring wall or fence, shall not exceed the height of the wall or fence, and shall be removed from the lot by licensed waste disposers at least once per week.* This condition is met. The trash storage area will be maintained within the fenced area as shown on the attached site plan.
3. §61.501 lists five standards that all conditional uses must satisfy:
  - 1) *The extent, location and intensity of the use will be in substantial compliance with the Saint Paul Comprehensive Plan and any applicable subarea plans which were approved by the city council.* This condition is met. The city's Comprehensive Plan (2010) seeks to provide land for jobs. ABRA provides jobs to neighborhood residents. In addition, the Comprehensive Plan Land Use Chapter identifies University Avenue as a mixed-use corridor. Land Use Policy 1.24 supports a mix of uses on mixed-use corridors.
  - 2) *The use will provide adequate ingress and egress to minimize traffic congestion in the public streets.* This condition is met. There is adequate ingress and egress to the site. The use is not changing and operations on the site are not expected to increase, leaving traffic patterns to the site the same as the current condition.
  - 3) *The use will not be detrimental to the existing character of the development in the immediate neighborhood or endanger the public health, safety and general welfare.* This condition is met. The existing character of development in the immediate neighborhood is one of mixed use service and retail. ABRA provides a needed service to the community and is an existing use. The facility complies with all local, state and federal regulations regarding noise and pollution and will not endanger the public health, safety and general welfare.
  - 4) *The use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.* This condition is met. This use is a continuation of an existing use and will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
  - 5) *The use shall, in all other respects, conform to the applicable regulations of the district in which it is located.* This condition is met.

I. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of the conditional use permit for an auto body shop subject to the following additional condition(s):

1. Final plans approved by the Zoning Administrator for this use shall be in substantial compliance with the plan submitted and approved as part of this application.



# CONDITIONAL USE PERMIT APPLICATION

Department of Planning and Economic Development  
Zoning Section  
1400 City Hall Annex  
25 West Fourth Street  
Saint Paul, MN 55102-1634  
(651) 266-6589

|  |
|--|
| Zoning office use only                 |
| File # <u>13-247-486</u>               |
| Fee <u>1,000.00</u>                    |
| Tentative Hearing Date <u>11-21-13</u> |

## APPLICANT

Name Ronald Fiscus, PlanScape Partners  
Address 333 N. Washington Ave., #337  
City Minneapolis St. MN Zip 55401 Daytime Phone 612-349-9898  
Name of Owner (if different) ABWAY, LLC / Krebsbach Properties  
Contact Person (if different) \_\_\_\_\_ Phone \_\_\_\_\_

## PROPERTY LOCATION

Address / Location 1190 W. UNIVERSITY AVE., ST. PAUL  
Legal Description SEE ATTACHED  
Current Zoning T4  
(attach additional sheet if necessary)

TYPE OF PERMIT: Application is hereby made for a Conditional Use Permit under provisions of  
Chapter III, Section 61.3, Paragraph (b)(3) of the Zoning Code.

SUPPORTING INFORMATION: Explain how the use will meet all of the applicable standards and conditions. If you are requesting modification of any special conditions or standards for a conditional use, explain why the modification is needed and how it meets the requirements for modification of special conditions in Section 61.502 of the Zoning Code. Attach additional sheets if necessary.

SEE ATTACHED NARRATIVE

RECEIVED  
OCT 31 2013  
Per \_\_\_\_\_

☒ Required site plan is attached

Applicant's Signature Ronald Fiscus Date 10/30/13 City Agent \_\_\_\_\_

LEGAL DESCRIPTION – ABRA AUTO BODY & GLASS, 1190 W. UNIVERSITY AVE., ST. PAUL, MN

MIDWAY INDUSTRIAL DIVISION SUBJ TO ESMT & VAC ST ACCRUING & FOL; PART OF LOTS 2,9,10, & LOT 11 BLK 1 & PART OF LOT A BLK 1 E OF EXT CL OF LOT 4 & PART OF LOTS 4,5 & LOT 6 BLK 2 ALL LYING NLY AND WLY OF A LINE BEG AT NW COR OF S 200 FT OF BLK 2 TH E 264 FT, PIN 342923410051



**ABRA AUTO BODY & GLASS**  
8001 SHINGLE CREEK PKWY #200  
BROOKLYN CENTER, MN 55420  
TEL: 763-437-7433  
FAX: 763-437-7433

**ALLIANT**  
ENGINEERING, INC.  
121 MARLAKE BOULEVARD, SUITE 200  
BROOKLYN CENTER, MN 55420  
TEL: 763-437-7433  
FAX: 763-437-7433

**GENERAL NOTES:**

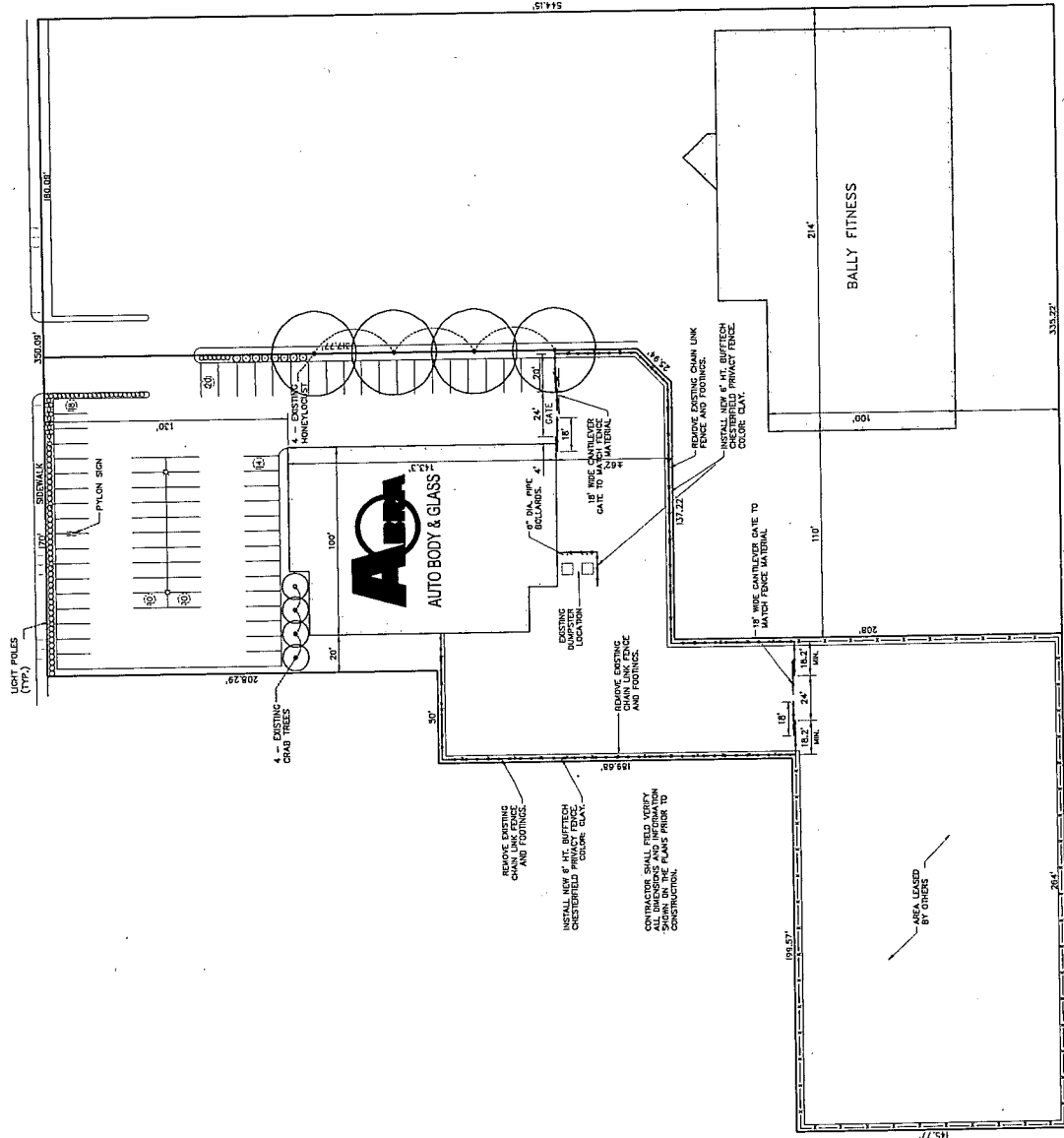
1. THE CONTRACTOR SHALL BE RESPONSIBLE TO MAKE SURE THAT ALL REQUIRED PERMITS AND APPROVALS HAVE BEEN OBTAINED AND THAT ALL NECESSARY EXISTING UTILITIES HAVE BEEN LOCATED AND DEPTH DETERMINED BY ALL OF THE PERTINENT AGENCIES.
2. ALL WORK SHALL BE ACCORDING TO THE CITY/STATE ENGINEERING STANDARDS AND THE GENERAL CONTRACTOR RESPONSIBLE FOR ANY REQUIRED PERMITS.
3. ALL WORK PERFORMED WITHIN THE CITY/STATE ENGINEERING STANDARDS AND THE GENERAL CONTRACTOR RESPONSIBLE FOR ANY REQUIRED PERMITS.
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**DEMOLITION NOTES:**

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DUNLAP STREET

UNIVERSITY AVENUE



GRIGGS STREET

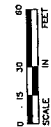
**ABRA AUTO BODY & GLASS**  
1190 UNIVERSITY AVENUE  
51. PAUL, MINNESOTA  
CONDITIONAL USE PERMIT  
SITE PLAN

| QUALITY ASSURANCE/CONTROL |                     |         |         |
|---------------------------|---------------------|---------|---------|
| DATE                      | BY                  | DATE    | BY      |
| 9/26/13                   | CH                  | 9/26/13 | CH      |
| PROJECT TEAM DATA         |                     |         |         |
| PROJECT NO.               | 213-8114            | DATE    | 9/26/13 |
| PROJECT NAME              | ABRA                | DATE    | 9/26/13 |
| PROJECT LOCATION          | 51. PAUL, MINNESOTA | DATE    | 9/26/13 |

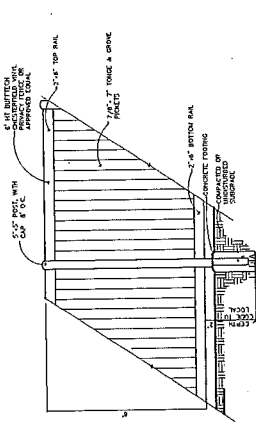
**C-1**  
SHEET 1 of 1

**SITE LEGEND:**

- EXISTING PROPERTY LINE
- EXISTING CURB & GUTTER
- EXISTING CHAIN LINK FENCE
- PROPOSED CHAIN LINK FENCE



PRIVACY FENCE - CLAY  
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Dig 811  
Or Call 800-282-7411





## PlanScape Partners

*Innovative solutions, lasting relationships.*

October 30, 2013

Mr. Jake Reilly  
City of St. Paul  
Department of Planning and Economic Development  
25 West Fourth Street  
City Hall Annex, 1400  
St. Paul, MN 55102

RE: Application for Conditional Use Permit, ABRA Auto Body & Glass, 1190 W. University Ave.

Dear Jake:

The ABRA Auto Body & Glass facility in the Midway neighborhood, St. Paul, MN, has operated at 1190 W. University Ave. for many years. The building is owned by Krebsbach Properties and is leased by Abway, L.L.C. The property is located in the T4 zoning district. ABRA was previously permitted as an accessory use to the Midway Chevrolet auto dealership. With the departure of Midway Chevrolet from the neighborhood, ABRA lost its accessory use status and has been operating as an "interim use" in compliance with Minnesota Statutes Chapter 462.3597.

Recently, the City of St. Paul has amended the requirements of its T4 zoning district, allowing auto body repair as a conditional use. At this time, ABRA wishes to apply for approval of a conditional use permit (CUP) which would allow ABRA to continue to serve the neighborhood in compliance with requirements that would be applied to the use by the St. Paul City Council.

ABRA Auto Body & Glass has maintained a strong management philosophy that requires a "good neighbor" policy and a positive corporate presence in the neighborhoods in which they operate. According to St. Paul's zoning enforcement staff, there have been no violations of zoning requirements from ABRA's operations.

Much of the company's expansion in the Twin Cities and in other communities has occurred as a result of the strong relationships it has developed, being the referral repair facility of choice among the insurance industry. Some 80% of ABRA's business comes from this relationship. Most vehicles to be repaired are driven to the site. No "totaled" vehicles are allowed to be delivered to the site. As vehicles are evaluated, if a car is determined to have been totaled, it is immediately removed to an auto recycling facility.

Most customers visit the site by appointment. Customarily, vehicles first arrive at the site for an evaluation and estimate and are drivable. Following that visit, repairs are scheduled. A vehicle's customary stay for repair is three to five days. Seven to eight vehicles arrive for repair each day and seven to eight leave with repairs complete. Most of the vehicles repaired at ABRA facilities are 0-5 years old.

Ample parking exists on the site. Fifty-two parking stalls for customers exist in the lot in front of the building. In addition, 20 stalls for staff are located on site, east of the building. An area

333 N. Washington Ave.  
Suite 337  
Minneapolis, MN 55401  
phone 612.349.9898

2351 S. Lake View Dr.  
Suite A8  
Clear Lake, IA 50428  
phone 641.357.6344

fax 612.349.9897  
[www.planscapepartners.com](http://www.planscapepartners.com)

surrounded by a security fence is located south of the building in which vehicles awaiting repair are located. The CUP requirements as they relate to auto body repair in the T4 district, require that a fence be constructed providing an opaque screening if the portion of the site that will be used to store damaged vehicles awaiting repair. A fence meeting this requirement is shown on the site plan that is submitted with this application. The trash storage area will also be maintained within this fence enclosure. It should be noted that a portion of the overall site in the southwest corner, fronting on Griggs Street, is not leased by ABRA and is used by others. Several used vehicles are stored there, but don't constitute vehicles awaiting repair for ABRA. It is not intended that this area would be screened by the opaque vinyl fence as noted on the proposed site plan.

Also in compliance with the new conditional use regulations in the T4 district, the service and repair activities maintained on the site will all occur within the building.

Improvements to the site appearance were completed at the time of the interim use zoning approval. Landscaping was improved and continues in good condition. No further landscaping improvements are proposed.

ABRA consistently adheres to strict waste disposal standards, minimizing impacts to the environment.

Abway, LLC, respectfully requests favorable consideration of this CUP proposal since it appropriately addresses each of the five criteria for approval established in the CUP requirements of the St. Paul zoning ordinance.:

1. *The extent, location and intensity of the use will be in substantial compliance with the Saint Paul Comprehensive Plan and any applicable subarea plans which were approved by the city council.* The T4 zoning district in which the property is located now allows auto body repair facilities as conditional uses. The change in the zoning text was approved by the City Council with the stated intent to allow ABRA to continue to operate in this location because it provides a valuable service to the neighborhood and maintains a good operation. This satisfies the test that the use conforms to the zoning regulations that apply to auto body shops in the T4 zoning district.

2. *The use will provide adequate ingress and egress to minimize traffic congestion in the public streets..* The existing entrance has served the site adequately for many years. The low volumes of traffic that characterize auto body repair facilities and the fact that no changes to the operation are proposed assure that there will be no impact to traffic congestion in the neighborhood.

3. *The use will not be detrimental to the existing character of the development in the immediate neighborhood or endanger the public health, safety and general welfare.* ABRA provides great head-of-household jobs in the neighborhood, provides a needed service and is well managed. Its operation assures compliance with local, state and federal requirements for the control of noise, odors and other discharges. The City staff's and City Council's statements in support of ABRA in the text change of the T4 zoning district provide evidence of the perception that ABRA's continued operation on this site will not be detrimental to development or the public health, safety and general welfare.

4. *The use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.* Much discussion has been held over the past several years about the need to provide excellent jobs in this neighborhood and to have sites and uses that accommodate future changes in the development style. The site

configuration, the location of ABRA's building on the site and the desire of the property owner to encourage further development of the site assure that ABRA's location will not impede development. ABRA has demonstrated its ability to participate in and complement redevelopment efforts through its participation in such efforts in the American Boulevard corridor in Bloomington, MN, its location as part of the Stapleton airport redevelopment project in Denver, CO, and its location in the Buckhead neighborhood in Atlanta, GA.

*5. The use shall, in all other respects, conform to the applicable regulations of the district in which it is located.* ABRA has demonstrated its ability and commitment to adhere to applicable city, state and federal regulations. It will continue to do so.

Great neighborhood support has been exhibited for ABRA's continued operation in this location. In the previous considerations by the City, 100% of the surrounding property owners signed consent forms supporting approval of the ABRA's proposal. A letter of strong support was received from the Midway Chamber of Commerce. University United registered an opinion of no objection to the proposal, and the District Council 13 Land Use Committee recommended its approval.

Thank you for your consideration of this CUP proposal. We hope this proposal will be approved to allow ABRA to continue to provide great jobs in the neighborhood and maintain a well-run, successful business on this property.

If you have any questions about anything related to the request, please contact me at (612) 349-9898 or at [rfiscus@planscapepartners.com](mailto:rfiscus@planscapepartners.com).

Sincerely,

PLANSCAPE PARTNERS

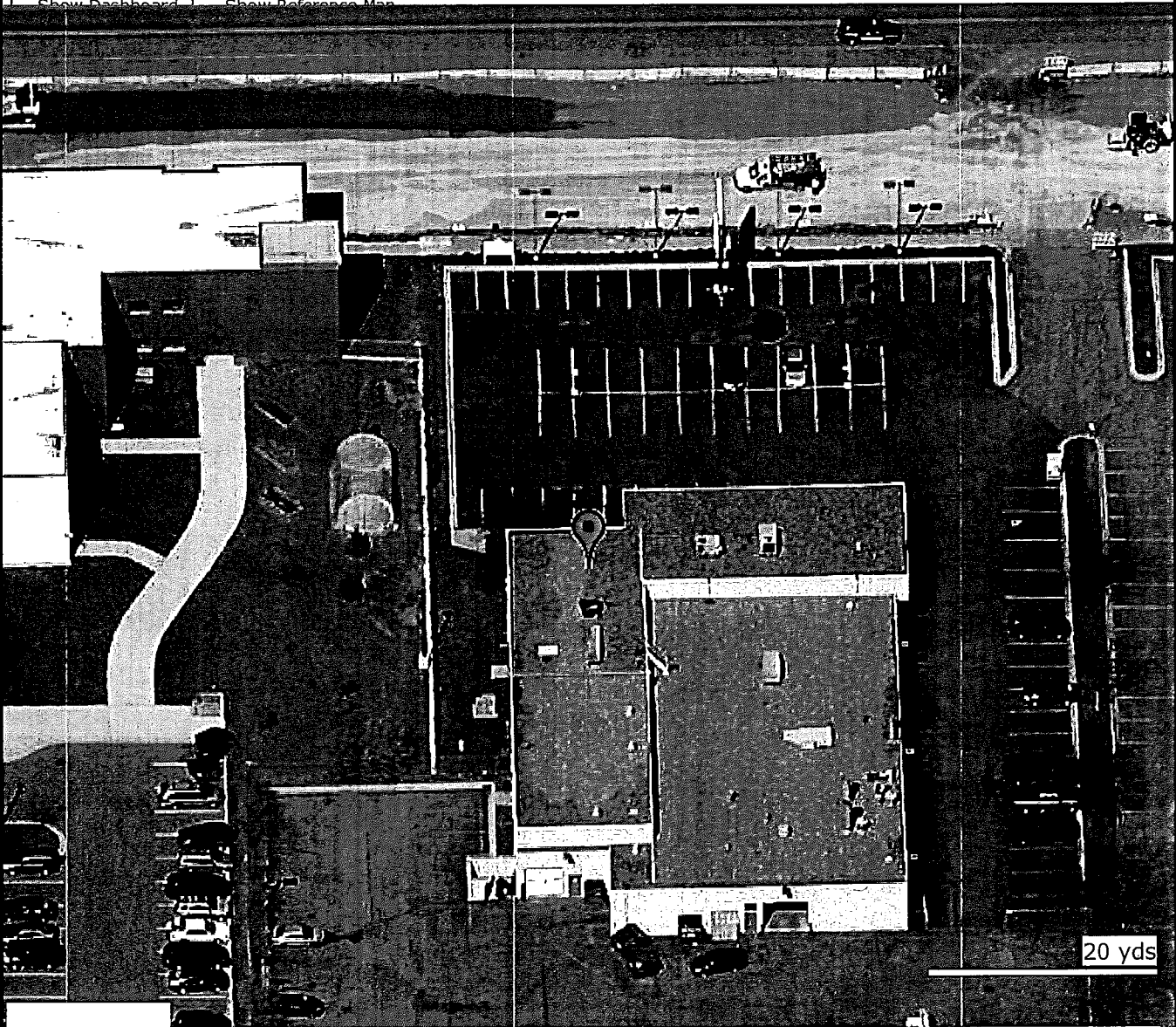
A handwritten signature in black ink, appearing to read 'Ronald L. Fiscus', written over the printed name.

Ronald L. Fiscus

# GISmo Oblique Photography

Images courtesy of: Microsoft® Virtual Earth™ 2006

☐ Show Dashboard ☐ Show Reference Map



20 yds

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## ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** Transition Homes Corporation **FILE #** 13-247-501
  2. **APPLICANT:** Transition Homes Corporation **HEARING DATE:** November 21, 2013
  3. **TYPE OF APPLICATION:** Conditional Use Permit
  4. **LOCATION:** 1956 Feronia Ave, SE corner at Prior
  5. **PIN & LEGAL DESCRIPTION:** 332923310106, Union Park Lot 1
  6. **PLANNING DISTRICT:** 13 **PRESENT ZONING:** OS
  7. **ZONING CODE REFERENCE:** § 65.159; § 61.501; § 61.502
  8. **STAFF REPORT DATE:** November 13, 2013 **BY:** Jake Reilly
  9. **DATE RECEIVED:** November 4, 2013 **60-DAY DEADLINE FOR ACTION:** January 3, 2014
- 

- A. **PURPOSE:** Conditional use permit for transitional housing facility with modifications of the permitted number of residents (25 currently permitted, 31 proposed)
- B. **PARCEL SIZE:** Irregularly shaped triangular lot 188 ft. x 125 ft. x 185 ft. totaling ~ 12197 sq. ft.
- C. **EXISTING LAND USE:** Transitional housing facility
- D. **SURROUNDING LAND USE:**
  - North: Commercial/light industrial (T3)
  - East: Residential (RM2)
  - South: Railroad right-of-way (RM2)
  - West: Industrial (I1)
- E. **ZONING CODE CITATION:** §65.159 lists standards and conditions for transitional housing facilities; §61.501 lists general conditions that must be met by all conditional uses; §61.502 authorizes the planning commission to modify any or all special conditions after making specified findings.
- F. **HISTORY/DISCUSSION:** In 2000 the property was rezoned from RM2 Multiple family to OS Office-Service (Z. F. 99-178-460) in order to establish a mixed office-residential use. That use was not established. In 2003 the building became a Category 3 vacant building. A site plan for the parking lot of the property, which was to be a residential use, was approved in 2005, but a use was not established. A conditional use permit with modification of the number of residents was approved in 2012 for 25 residents (16 permitted).
- G. **DISTRICT COUNCIL RECOMMENDATION:** The District 13 Council recommended approval.
- H. **FINDINGS:**
  1. Transition Homes Corporation established a transitional housing facility for 25 residents at the property in 2012. At this time, the corporation wishes to add an additional six beds bringing the total population to 31. This requires a conditional use permit with modification to permit more than the current allowed number of residents.
  2. §65.159, *Transitional housing facility*, defines transitional housing and lists five standards that these facilities must satisfy:
    - a) *In residential, traditional neighborhood and OS – B2 business districts, a conditional use permit is required for facilities serving more than four (4) adult facility residents and minor children in their care.* This condition is met. The applicant has applied for a conditional use permit.
    - b) *In RL – RT2 residential districts, the facility shall be a minimum distance of one thousand three hundred twenty (1,320) feet from any other transitional housing facility...* This condition does not apply. The property is zoned OS.
    - c) *Except in B4-B5 business districts, the facility shall not be located in a planning district in which one (1) percent or more of the population lives in licensed community residential facilities, emergency housing facilities, shelters for battered persons...overnight shelters and/or transitional housing facilities...* This condition is met. The total population of District 13

in 2010 was 18,405. One percent is 184 residents. Existing facilities in the community, including the 25 residents in this facility currently have 119 residents. This is 65 residents fewer than 1 percent of the district population. This facility proposes six additional residents, leaving a balance of 59 available spaces in the planning district.

- d) *...In RT2 residential, traditional neighborhood, OS-B3 business and IR-I2 industrial districts, the facility shall serve sixteen (16) or fewer adult facility residents and minor children in their care.* This condition is not met under the applicant's proposal. The applicant proposes 30 program residents and one facility manager for a total of 31 residents. The applicant has asked for a modification of this requirement. The existing conditional use permit modified this requirement to permit 25 residents.
  - e) *In RL-RT2 residential districts, the facility shall not be located in a two-family or multi-family dwelling unless it occupies the entire structure.* This condition does not apply. The property is zoned OS.
  - f) *In residential districts, facilities serving seventeen (17) or more facility residents shall have a minimum lot area of five thousand (5,000) square feet plus one thousand (1,000) square feet for each guest room in excess of two (2) guest rooms.* This condition does not apply. The property is not located in a residential district.
3. §61.501 lists five standards that all conditional uses must satisfy:
- a) *The extent, location and intensity of the use will be in substantial compliance with the Saint Paul Comprehensive Plan and any applicable subarea plans which were approved by the city council.* This condition is met. The use is in compliance with the housing chapter of the Saint Paul Comprehensive Plan, which seeks to increase housing choices across the city to support economically diverse neighborhoods and, in Strategy 3, seeks to ensure the availability of affordable housing across the city, which includes transitional housing facilities. Specifically, Strategy 3.4 states that the city will "assist in the preservation and production of homeless and supportive housing." 3.4(f) states that the city will "encourage non-city funding sources to continue to provide resources for supportive and homeless housing."
  - b) *The use will provide adequate ingress and egress to minimize traffic congestion in the public streets.* This condition is met. There are two curb cuts into and out of the property's parking lot area. The parking lot has 14 spaces, including four in a garage. The use is not anticipated to generate a lot of traffic, in part because those living in transitional housing typically do not own vehicles. According to the applicant, staff will use four of the spaces.
  - c) *The use will not be detrimental to the existing character of the development in the immediate neighborhood or endanger the public health, safety and general welfare.* This condition is met. The neighborhood is a mix of residential and industrial land uses. OS is intended to serve as a transitional use between the more intensive uses of land such as commercial districts and light industrial districts and less intensive uses of land such as residential.
  - d) *The use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.* This condition is met. The use is not out of character with the surrounding uses. The neighborhood is a mix of residential and industrial land uses.
  - e) *The use shall, in all other respects, conform to the applicable regulations of the district in which it is located.* This condition is met. The use conforms to the applicable regulations of the OS district.
4. The planning commission may approve modifications of special conditions when specific criteria of §61.502 are met: *strict application of such special conditions would unreasonably limit or prevent otherwise lawful use of a piece of property or an existing structure and would result in exceptional undue hardship to the owner of such property or structure; provided, that such modification will not impair the intent and purpose of such special condition and is consistent with health, morals and general welfare of the community and is consistent with reasonable enjoyment of adjacent property.* This finding is met. The applicant states that with the current configuration

and 25 residents, often large areas of the house go unused, allowing for isolation of residents, which is counter to the program requirements and goals. Making better use of the internal space and offering more rooms for residents better meets program goals and better serves the community, according to the applicant. In addition, the additional revenue provided by six additional residents will provide funding for a new, evidence-based, long-term recovery strategy called "Change for Life." Rezoning the facility would permit more residents but the site would have to get a variance for lot area. The intent of the code is to locate larger facilities in residential districts. This property is zoned OS, but was previously zoned RM2, has had previous multiple family uses, and is proximate to a multiple family district. This use is consistent with past uses and the adjacent district and is thus consistent with the health, morals and general welfare of the community and is consistent with reasonable enjoyment of adjacent property.

- I. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of a conditional use permit for a transitional housing facility for 30 residents and 1 program manager at 1956 Feronia.



# CONDITIONAL USE PERMIT APPLICATION

Department of Planning and Economic Development

Zoning Section

1400 City Hall Annex

25 West Fourth Street

Saint Paul, MN 55102-1634

(651) 266-6589

Rec'd  
10/30/13

|                        |           |
|------------------------|-----------|
| Zoning office use only |           |
| File #                 | 13-247-01 |
| Fee                    | 800.00    |
| Tentative Hearing Date | 11/21     |

APPLICANT

Name MICHAEL MUGAAS  
Address 1450 N. WILLOW DR  
City MEDINA St. MN Zip 55356 Daytime Phone 612-819-7207  
Name of Owner (if different) \_\_\_\_\_  
Contact Person (if different) \_\_\_\_\_ Phone \_\_\_\_\_

PROPERTY  
LOCATION

Address / Location 1956 FERONIA AVENUE  
Legal Description \_\_\_\_\_  
Current Zoning \_\_\_\_\_  
(attach additional sheet if necessary)

TYPE OF PERMIT: Application is hereby made for a Conditional Use Permit under provisions of  
Chapter 61, Section 61.503, Paragraph f of the Zoning Code.

SUPPORTING INFORMATION: Explain how the use will meet all of the applicable standards and conditions. If you are requesting modification of any special conditions or standards for a conditional use, explain why the modification is needed and how it meets the requirements for modification of special conditions in Section 61.502 of the Zoning Code. Attach additional sheets if necessary.

SEE ATTACHED

☐ Required site plan is attached

Applicant's Signature [Signature] Date 10-29-2013 City Agent \_\_\_\_\_

## Conditional Use Permit Application Supplement

The length of resident stay is 90 days.

In zoning district OS1, a conditional use permit is required for a transitional housing facility with residents exceeding 4 residents, and up to 16 without a variance. We are also requesting a variance of 15 to accommodate 30 program residents, plus one facility manager, who will reside on the premises, for a total of 31 residents.

There is no minimum distance requirement for transitional housing in the OS1 zoning district.

This facility is licensed by the City of St. Paul for Boarding and Lodging, as well as Ramsey County Human Services for Group Residential Housing.

This will not be considered a medical facility.

This facility will not be licensed by the Department of Health

This facility currently has 14 parking spaces including the 4 car garage. The typical GRH resident does not have a car, since residents have difficulty qualifying for this program, once certain asset levels are exceeded. Staff will require up to 4 parking spaces.

Ingress and egress to street is shown on the supplement A-1.

Please contact Michael Mugaas at 612-819-7207 or email [mikem@transtions.pro](mailto:mikem@transtions.pro) with any additional questions.

## Group Residential Housing Facility/ Transitions' Foundation Program

Transition Homes Corporation is seeking a conditional use permit to occupy 1956 Feronia Avenue. This facility provides Group Residential Housing (board and lodging) for adult me age 18 years or older who are chemically dependent and/ or have a co-occurring mental illness and chemical dependency. This facility currently has a permit for 25 residents. We are seeking a conditional use permit for an occupancy limit of 31.

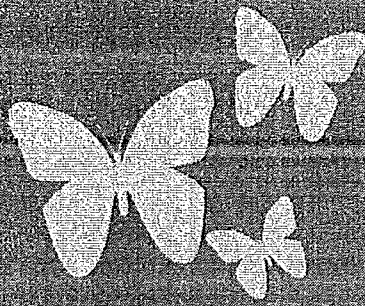
### Benefit of new CUP: Stronger Program

One of the challenges we see is that the GRH resident is not properly prepared to be self-sufficient after leaving our program. We feel we can improve the chances of success with the addition of a new program called Change for Life, an evidence-based, individualized, person-centered program offering leader guided, peer supported small groups focused on living and coping skills to sustain long-term recovery. Clients will develop and strengthen skills to manage the day-to-day challenges of life. Change for Life reinforces positive behaviors and provides on-going motivational support, enhancing a client's recovery and overall quality of life. Topics include: employment challenges, personal motivation, self-care, stress management, social reengagement, emotional stability, relapse prevention and much more.

Transitions has acquired additional space in the building next door at 366 Prior Avenue. This space will reduce the amount of group room space required at 1956 Feronia Avenue. By converting one group room we can create 2 additional bedrooms, accommodating 2 beds each. Additionally we would like to move our third floor laundry to two little used utility rooms on the second and third floors, providing space for 2 additional beds.

The renovations will provide several program benefits.

1. Currently we have large spaces that go often unused. In a facility that has nearly 12,000 square feet, these rooms become areas for potential isolation which can be dangerous for those in early recovery.
2. The additional revenue will provide funding for the Change for Life programming, which will help to make one of the best facilities of its kind, even better. Giving our program participants a more comprehensive program will increase their chances of success after moving on to a more independent living setting, and reduce the amount of times we are providing services to the same client.



## CHANGE for LIFE

*Part of Transitions Treatment  
Services & Recovery Programs*



## Transitions

Developing Essential Skills for  
Lifelong Recovery



Transitions offers a full range of services for individuals who are recovering from drug and alcohol addiction. Our programs provide structure and support to strengthen personal recovery skills in the dimensions of home, health, purpose and community. We foster safe, caring environments where individuals learn and practice new recovery skills and implement changes that support a substance-free lifestyle. Our primary goal is to help individuals develop living skills necessary to maintain an emotional, vocational, social, physical and spiritual balance in recovery.

## Change for Life?

*Change for Life* is a six-week, person-centered series offering leader guided, peer supported small groups focused on living and coping skills to sustain long-term recovery. Clients will develop and strengthen skills to manage the day-to-day challenges of life. *Change for Life* reinforces positive behaviors and provides on-going motivational support, enhancing a client's recovery and quality of life. Topics in the series include:

- **Looking For Work**
- **Making Decisions**
- **Managing Money**
- **Refusal Skills**
- **Values and Personal Responsibility**
- **Hygiene and Self-Care**



651-493-6658 | [transitions.pro](http://transitions.pro)

# Change for Life

## Continuing Care for Successful Recovery

Transitions now offers *Change for Life*, a continuing care program to support persons recovering from substance use disorders. *Change for Life* is a response to the increasing need for longer term, individualized treatment options to sustain successful recovery.

*Change for Life* is an evidence-based, individualized, person-centered program offering leader guided, peer supported small groups focused on living and coping skills to sustain long-term recovery. Meeting once or twice a week as needed, clients will develop and strengthen skills to manage the day-to-day challenges of life. *Change for Life* reinforces positive behaviors and provides on-going motivational support, enhancing a client's recovery and overall quality of life. Topics include: employment challenges, personal motivation, self-care, stress management, social reengagement, emotional stability, relapse prevention and much more.

Continuing care for substance use disorders is very important because of the nature of addiction. Addiction is a chronic disease characterized by relapse. Most people leaving acute care settings are precariously perched somewhere between continued recovery and relapse. Recovering addicts not receiving some form of clinical support are at an extremely high risk for relapse. Continuing care increases the probability of sustained recovery.

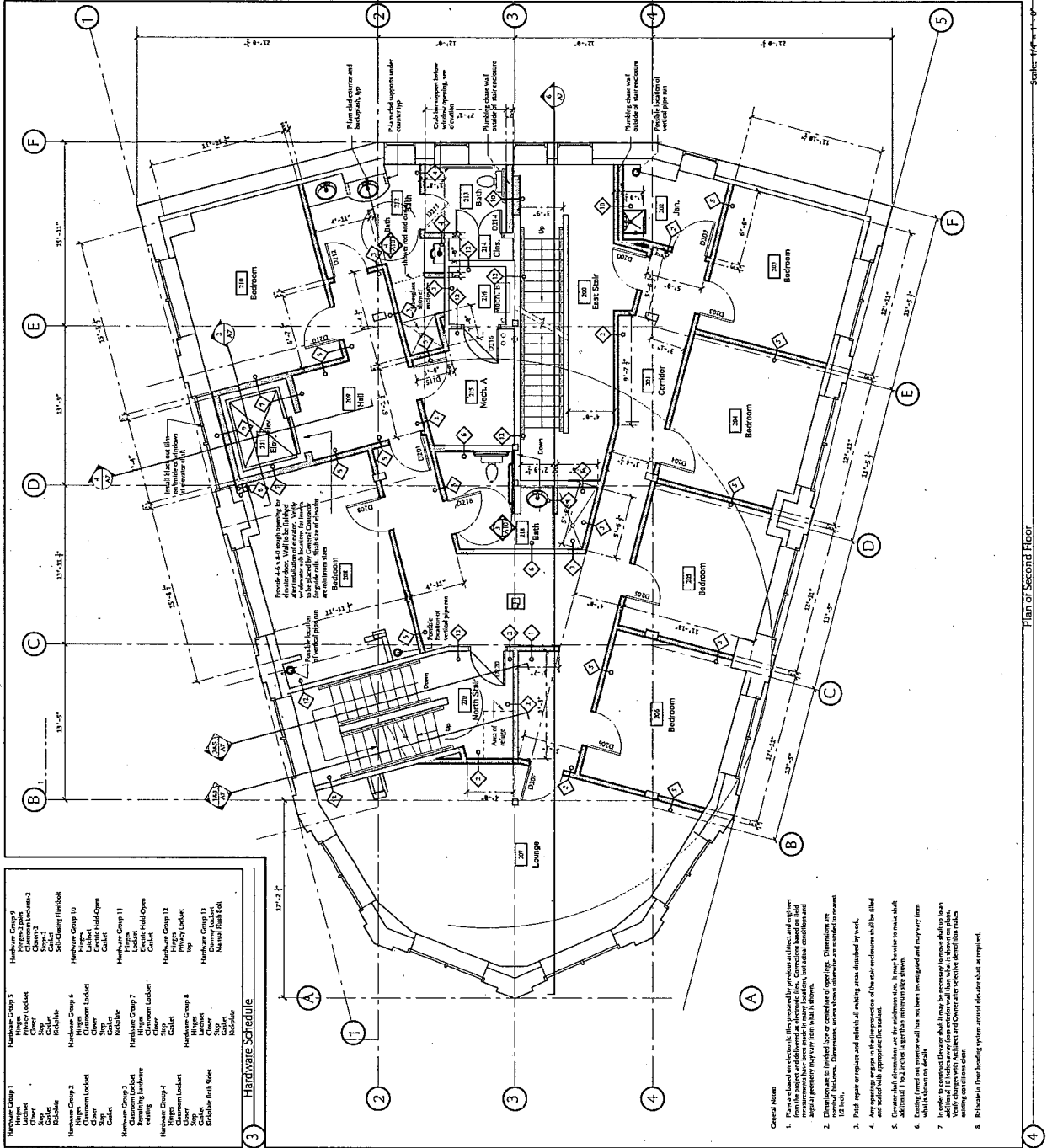
*Change for Life* helps keep the newly sober alcoholic/addict engaged in recovery activities, which reduces probability of relapse. Additionally, continued reinforcement of behavioral change is necessary for sustained benefit. While there is no predetermined length of treatment, research has shown that the longer the engagement in some level of continuing care, the better the treatment outcomes. Many people drop out of the continuum of care prematurely, greatly increasing their risk for relapse.

It is crucial to keep in mind that addiction is a chronic disease. Like any other chronic disease, it is characterized by occasional relapses, and the client's recovery from it partly depends on the client's own lifestyle changes and everyday choices. For many, a one-time acute care treatment episode is simply not sufficient to maintain sobriety over the course of a life. Unfortunately, "treatment", more often than not, involves multiple acute care therapeutic episodes coinciding with the client's multiple attempts at recovery.

*Change for Life* can help break the cycle of relapse and multiple treatment episodes. In this continuum of care, the client remains engaged in an appropriate level and type of treatment, the relapse cycle can be interrupted, and personal long-term recovery goals can be accomplished.







EXISTING

**1**

**DOOR TYPES**

**2**

**DOOR SCHEDULE**

| Door No. | Room | Type | Material | Finish | Hardware        | Notes |
|----------|------|------|----------|--------|-----------------|-------|
| 101      | 101  | A    | Wood     | Stain  | Privacy Lockset |       |
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| 183      | 183  | A    | Wood     | Stain  | Privacy Lockset |       |
| 184      | 184  | A    | Wood     | Stain  | Privacy Lockset |       |
| 185      | 185  | A    | Wood     | Stain  | Privacy Lockset |       |
| 186      | 186  | A    | Wood     | Stain  | Privacy Lockset |       |
| 187      | 187  | A    | Wood     | Stain  | Privacy Lockset |       |
| 188      | 188  | A    | Wood     | Stain  | Privacy Lockset |       |
| 189      | 189  | A    | Wood     | Stain  | Privacy Lockset |       |
| 190      | 190  | A    | Wood     | Stain  | Privacy Lockset |       |
| 191      | 191  | A    | Wood     | Stain  | Privacy Lockset |       |
| 192      | 192  | A    | Wood     | Stain  | Privacy Lockset |       |
| 193      | 193  | A    | Wood     | Stain  | Privacy Lockset |       |
| 194      | 194  | A    | Wood     | Stain  | Privacy Lockset |       |
| 195      | 195  | A    | Wood     | Stain  | Privacy Lockset |       |
| 196      | 196  | A    | Wood     | Stain  | Privacy Lockset |       |
| 197      | 197  | A    | Wood     | Stain  | Privacy Lockset |       |
| 198      | 198  | A    | Wood     | Stain  | Privacy Lockset |       |
| 199      | 199  | A    | Wood     | Stain  | Privacy Lockset |       |
| 200      | 200  | A    | Wood     | Stain  | Privacy Lockset |       |

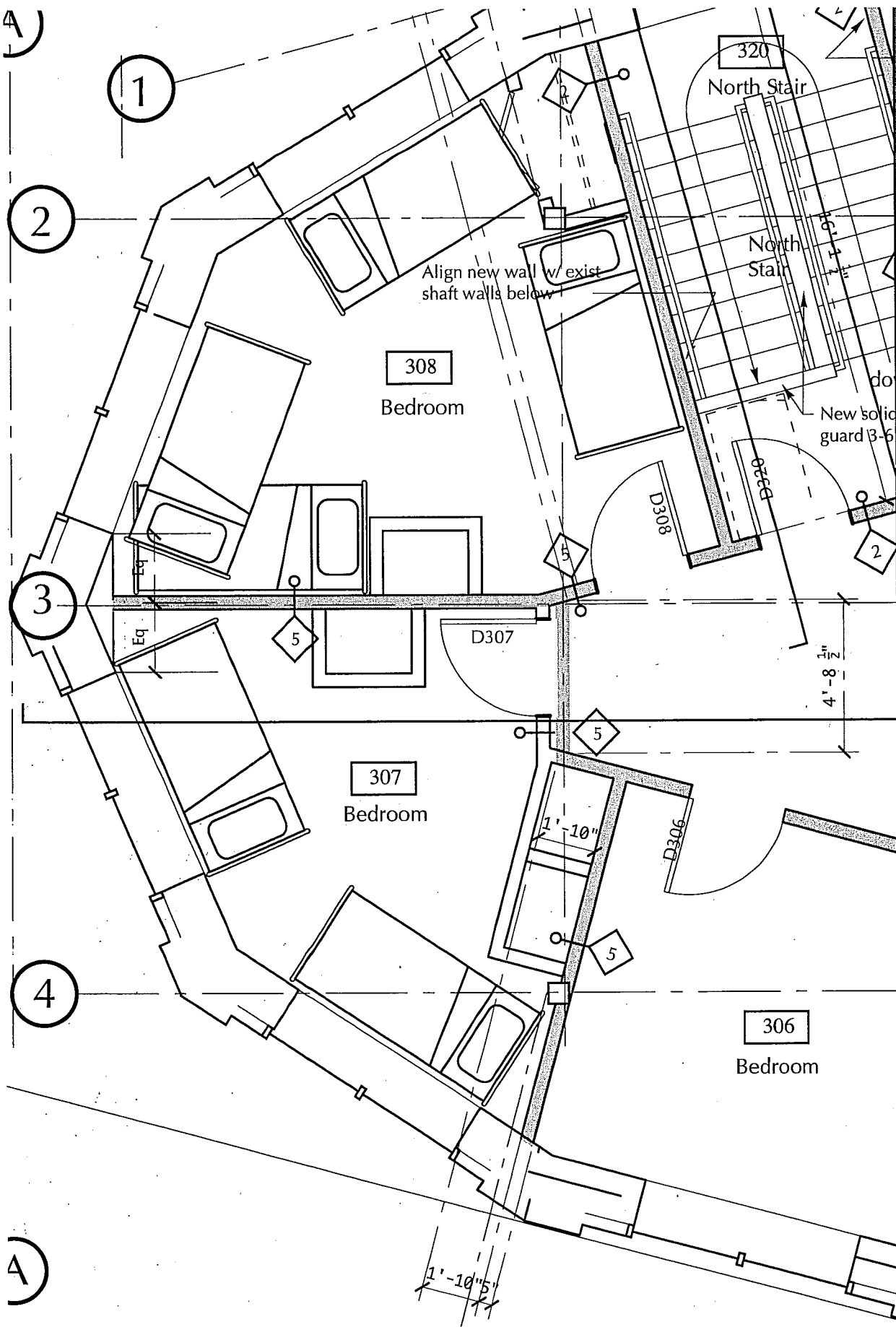
Plan of Second Floor

No. 5

[illegible]

### Plan of Third Floor

PROPOSED



Study of Closets on 2nd Floor, Partial Plan of A-5

Carlson & Frank Architects  
524 Selby Avenue  
Saint Paul, Minnesota 55102  
Phone 227-4576

Crosby Block Remodeling  
1956 Feronia Avenue  
Saint Paul, Minnesota

DATE: August 8, 2012  
Revised  
SCALE 1/4" = 1'-0"

Supplemental Drawing  
Sheet no. AS-08

| Square footage comparisons to other Group Residential Housing Facilities |                            |                |                      |                          |
|--|----------------------------|----------------|----------------------|--------------------------|
| GRH Facility   | Address                    | # of residents | Total Square Footage | Square Feet per Resident |
| Arrigoni House   | 255 Summit Avenue          | 28             | 6660                 | 237.857142857143         |
| Green House  | 680 Greenbrier Street      | 22             | 6868                 | 312.181818181818         |
| Hart House   | 550 Galtier Street         | 24             | 6980                 | 290.833333333333         |
| Emma Norton  | 670 North Robert Street    | 45             | 23251                | 516.688888888889         |
| <b>Transitions / Foundation</b>  | <b>1956 Feronia Avenue</b> | <b>31</b>      | <b>11000</b>         | <b>354.838709677419</b>  |
|  |                            |                |                      |                          |
|  |                            |                |                      |                          |
| <b>All information taken from Ramsey County Tax records</b>              |                            |                |                      |                          |

# Current Budget

| GRH Proposal Budget      |              |          |  |                                     |                              |  |  |
|--------------------------|--------------|----------|--|-------------------------------------|------------------------------|--|--|
| Revenue                  |              |          |  | Projected Revenue                   |                              |  |  |
| Detail/ Revenue          | # of Beds 24 | Rates    |  | Monthly-vac & uncollectable incl.   | Annual estimated             |  |  |
| Average                  | 22           | 1356     |  | \$29,832.00                         | 357,984.00                   |  |  |
|                          |              |          |  | 0                                   | 0                            |  |  |
|                          |              |          |  | Total GRH Revenue                   | 357,984.00                   |  |  |
| Expense                  |              |          |  |                                     |                              |  |  |
| Program Manager          |              | Troy Mc  |  | 2250                                | GRH Program Manager/ on site |  |  |
| Admin Apportioned        |              | Brittney |  | 972.22                              |                              |  |  |
| Diversity Manager/Tech   |              | Mike Bla |  | 2447                                |                              |  |  |
| Chef                     |              | Leray T  |  | 2500                                |                              |  |  |
| Health Care Contribution |              |          |  | 315                                 |                              |  |  |
| Nurse                    |              |          |  | 600                                 | Medication Management        |  |  |
| Lawn Care/ Snow          |              |          |  | 450                                 |                              |  |  |
| transport                |              |          |  | 853                                 |                              |  |  |
| Maintenance              |              |          |  | 1200                                |                              |  |  |
| Maintenance/cleaning     |              |          |  | 1042                                |                              |  |  |
| Payroll Tax/ Work Comp   |              |          |  | 1076                                |                              |  |  |
| General Liability        |              |          |  | 585                                 |                              |  |  |
| DSI license fee          |              |          |  | 50                                  | Annual Fee                   |  |  |
| Lease or P&I             |              |          |  | 8700                                |                              |  |  |
| Real Estate Tax          |              |          |  | 976.33                              |                              |  |  |
| Insurance/property       |              |          |  | Included above in General Liability |                              |  |  |
| pest                     |              |          |  | 80                                  |                              |  |  |
| fire                     |              |          |  | 50                                  |                              |  |  |
| drug test                |              |          |  | 100                                 |                              |  |  |
| Water                    |              |          |  | 850                                 |                              |  |  |
| Electricity/gas          |              |          |  | 1960                                |                              |  |  |
| Trash                    |              |          |  | 150                                 |                              |  |  |
| Elevator Maintenance     |              |          |  | 100                                 |                              |  |  |
| Phone/Net/Cable          |              |          |  | 440                                 |                              |  |  |
| Resident Bad Debt        |              |          |  | 462                                 |                              |  |  |
| Food / Grocery/ Supplies |              |          |  | 3600                                |                              |  |  |
| Accounting               |              |          |  | 0                                   |                              |  |  |
| Storm Sewer              |              |          |  | 75                                  |                              |  |  |
| Total                    |              |          |  | 31883.55                            | \$382,602.60                 |  |  |
|                          |              |          |  |                                     | (\$24,618.60)                |  |  |

# Proposed Budget

|                                   |                      |                  |                   |                              |  |  |
|-----------------------------------|----------------------|------------------|-------------------|------------------------------|--|--|
| GRH Proposal Budget               | 30 Program Beds+1 RM |                  |                   |                              |  |  |
| Revenue                           | # of Beds 27         | Rates            | Monthly-Revenue   | Annual estimated             |  |  |
| Revenue on Daily Average          | 27                   |                  | \$36,612.00       | 439,344.00                   |  |  |
| Average                           |                      |                  | 0                 | 0                            |  |  |
|                                   |                      |                  | Total GRH Revenue | 439,344.00                   |  |  |
| Expense                           |                      |                  |                   |                              |  |  |
| Program Manager                   |                      | Troy Mock        | 2500              | GRH Program Manager/ on site |  |  |
| Admin Apportioned                 |                      | Brittney Stewart | 1050              |                              |  |  |
| Diversity Manager/Tech            |                      | Mike Blair       | 2500              |                              |  |  |
| Chef                              |                      | Leray Taylor     | 2800              |                              |  |  |
| Health Care Benefits/Contribution |                      |                  | 415               |                              |  |  |
| Life Skills Tech/Counselor        |                      | Counselor        | 2250              |                              |  |  |
| Nurse                             |                      |                  | 600               | Medication Management        |  |  |
| Lawn Care/ Snow                   |                      |                  | 450               |                              |  |  |
| transport                         |                      |                  | 853               |                              |  |  |
| Maintenance                       |                      |                  | 1200              |                              |  |  |
| Maintenance/cleaning              |                      |                  | 1230              |                              |  |  |
| Payroll Tax/ Work Comp            |                      |                  | 1076              |                              |  |  |
| General Liability                 |                      |                  | 585               |                              |  |  |
| DSJ license fee                   |                      |                  | 50                | Annual Fee                   |  |  |
| Lease or P&J/ Steve Clingan       |                      |                  | 8700              |                              |  |  |
| Real Estate Tax/2015              |                      |                  | 2000              |                              |  |  |
| Insurance                         |                      |                  | Included in GL    |                              |  |  |
| pest                              |                      |                  | 80                |                              |  |  |
| fire                              |                      |                  | 50                |                              |  |  |
| drug test                         |                      |                  | 100               |                              |  |  |
| Water                             |                      |                  | 850               |                              |  |  |
| Electricity/gas                   |                      |                  | 1960              |                              |  |  |
| Trash                             |                      |                  | 150               |                              |  |  |
| Elevator Maintenance              |                      |                  | 100               |                              |  |  |
| Phone/Net/Cable                   |                      |                  | 365               |                              |  |  |
| Resident Bad Debt                 |                      |                  | 462               |                              |  |  |
| Food / Grocery/ Supplies          |                      |                  | 3900              |                              |  |  |
| Accounting                        |                      |                  | 0                 |                              |  |  |
| Storm Sewer                       |                      |                  | 75                |                              |  |  |
| Total                             |                      |                  | 36351             |                              |  |  |
| Annual Expense                    |                      |                  |                   | \$436,212.00                 |  |  |
| Net Profit                        |                      |                  |                   | \$3,132.00                   |  |  |



**UNION  
PARK**

UNION PARK DISTRICT COUNCIL

1570 Concordia Avenue, Suite LL100, Saint Paul, MN 55104

p 651-645-6887 | f 651-917-9991 | e info@unionparkdc.org | w www.unionparkdc.org

November 13, 2013

Jake Reilly, City Planner  
Dept. of Planning & Economic Development  
25 W 4th Street  
St. Paul, MN 55102

RE: Group Housing Facility/Transitions' Foundation Program

Dear Jake:

On November 12, 2013 the Union Park District Council Land Use Committee voted to support Transitions' Foundations Program request to expend their current facilities by six beds and expand programing.

Transitions' Foundation Programs has a positive history in the community. The expansion of beds and programs will not cause any undue burden to the community. Instead we anticipate they will continue their successful work in developing lifelong skills that support lifelong recovery.

Sincerely,

*Bernadette Chlebeck*

Bernadette Chlebeck  
UPDC Executive Director

Cc: Michael Mugaas , Executive Director  
Transitions 1956 Feronia Ave St. Paul MN 55104



## Dubruiel, Paul (CI-StPaul)

---

**From:** Matthew Robinson <mattmsp@mac.com>  
**Sent:** Monday, November 04, 2013 9:52 AM  
**To:** Dubruiel, Paul (CI-StPaul)  
**Subject:** Input

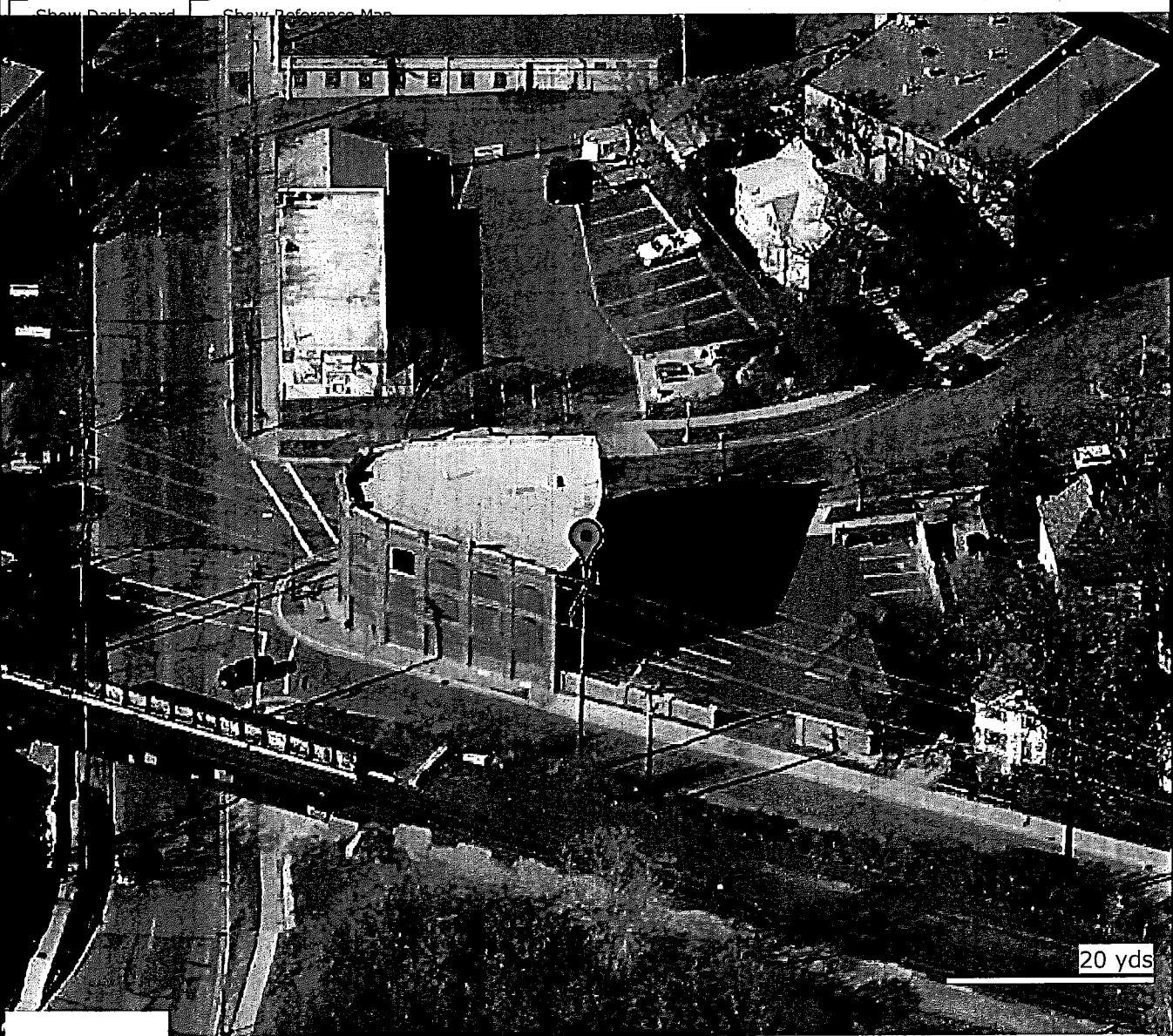
After having a women OD on heroin across the street at an unofficial sober house, followed by the police pursuing a drunk resident from the same house the following week, I think we already have enough sober houses in Union Park. I'm sure the retirees at the Presbyterian Residence will appreciate it as well. Since that is an assisted living home doesn't that preclude said use due to distance?

Matt Robinson  
1883 Iglehart Avenue  
Saint Paul, MN 55104

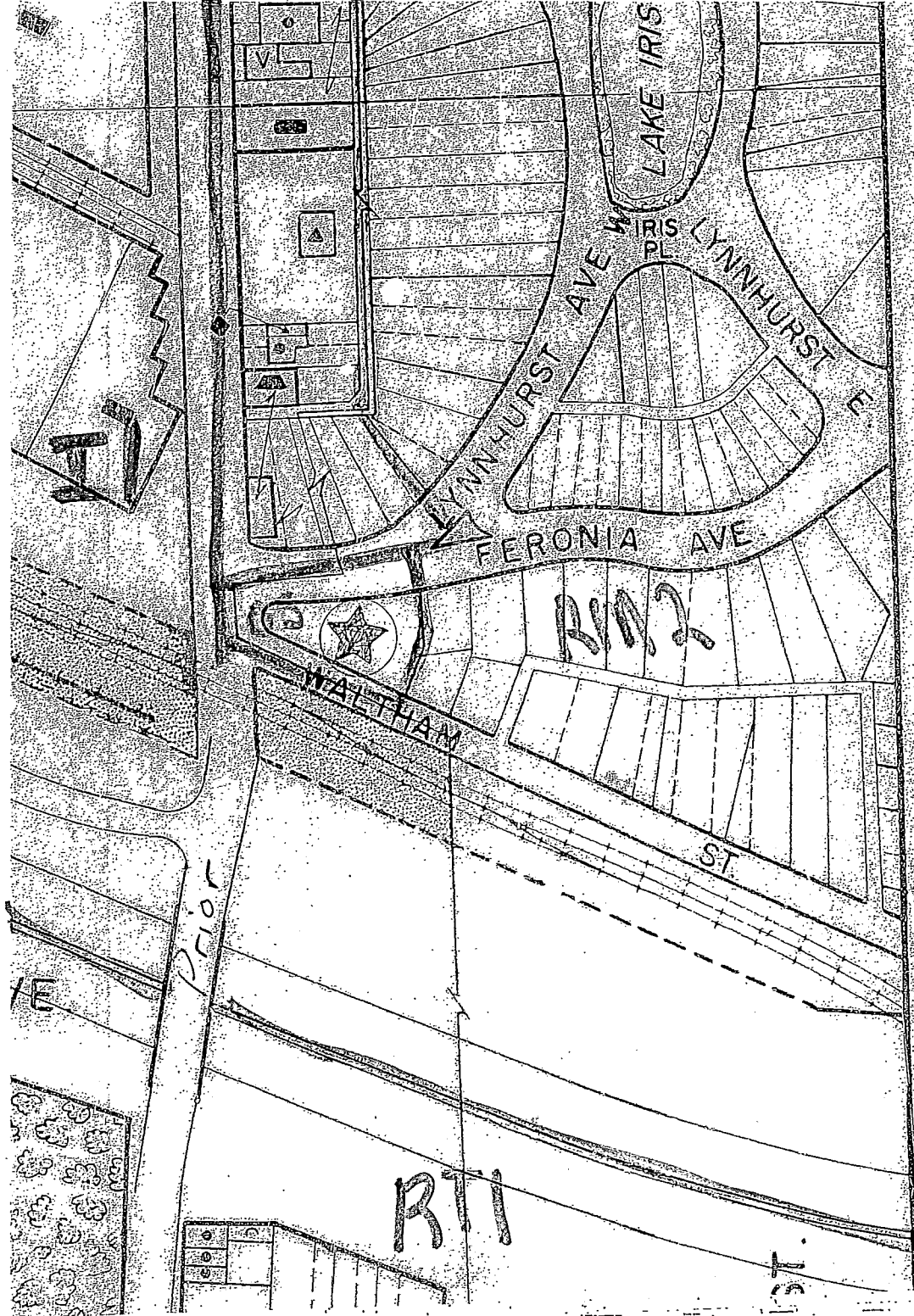
612-802-3269

# GISmo Oblique Photography

Images courtesy of: Microsoft® Virtual Earth™ 2006



© 2013 Microsoft Corporation | Pictometry Bird's Eye © 2010 Pictometry International Corp | Pictometry Bird's Eye © 2010 MDA Geospatial Services Inc.



APPLICANT Transition Homes Corp  
 PURPOSE Conditional Use Permit  
 FILE # 13-247501 DATE 11-6-13  
 PLNG. DIST 13 Land Use Map # 17  
 Zoning Map # 13  
 SCALE 1" = 400'

**LEGEND**

zoning district boundary

subject property

○ one family

⊙ two family

⊗ multiple family

commercial

industrial

vacant

11 AVE

## ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** BLD Property Management **FILE #** 13-247-474
  2. **APPLICANT:** BLD Property Management **HEARING DATE:** November 21, 2013
  3. **TYPE OF APPLICATION:** NUP - Establishment
  4. **LOCATION:** 260 Aurora Ave, Southeast corner at Galtier
  5. **PIN & LEGAL DESCRIPTION:** PID 36-29-23-41-0030, Florence Addition to St. Paul, W 1/2 of Lot 10 and all of Lot 11, Blk 3
  6. **PLANNING DISTRICT:** 8 **PRESENT ZONING:** RT2
  7. **ZONING CODE REFERENCE:** Sec. 62.109(a)
  8. **STAFF REPORT DATE:** November 13, 2013, (**revised November 18, 2013**) **BY:** Hilary Holmes
  9. **DATE RECEIVED:** November 4, 2013 **60-DAY DEADLINE FOR ACTION:** January 3, 2014
- 

- A. **PURPOSE:** Establishment of legal nonconforming use status as an administrative office.
- B. **PARCEL SIZE:** 6815 sq. feet (56 ft. frontage on Aurora, 121.69 ft. frontage on Galtier)
- C. **EXISTING LAND USE:** Administrative Office
- D. **SURROUNDING LAND USE:**  
North: Single family residential (RT2),  
Commercial (T3); South: Single family and multifamily residential (RT2, RM2);  
East: Single and multifamily residential, surface parking (T3);  
West: Institutional/Single family residential (RT2)
- E. **ZONING CODE CITATION:** §62.109(a) lists the conditions under which the Planning Commission may grant a permit to establish legal nonconforming use status.
- F. **HISTORY/DISCUSSION:** The property at 260 Aurora was purchased by the applicant, Louis Henry, in 1995. Mr. Henry and his attorney communicated with city staff in Licensing, Inspections and Environmental Protection (LIEP) in September 1995 regarding the use of the residential property as an office for a small franchise of McDonald's restaurants that are owned by Mr. Henry's company, BLD Property Management (Franchise Food Systems of Minnesota). The proposed office use at that time included administrative functions, staff meetings and training. At that time Mr. Henry and his attorney were informed by city staff that the office use was not a permitted use in the residential zoning district. No applications were submitted for a non-conforming use permit or rezoning, and the house remained zoned RT2. In October 2013 City fire inspectors visited the property to conduct an inspection of the property as a residential rental property, at which time they discovered that the house was in use as an administrative office with no residential use. For tax purposes, Ramsey County records have the property class listed as residential non-homesteaded.
- G. **DISTRICT COUNCIL RECOMMENDATION:** The District 8 Council had not made a recommendation at the time this report was prepared.
- H. **FINDINGS:**
  1. The applicant, BLD Property Management, has applied for a permit to establish legal nonconforming use status for an administrative office at 260 Aurora Avenue.
  2. Section 62.109(a) of the zoning code provides that the Planning Commission may grant legal nonconforming use status to uses or structures if the commission makes the following findings. The findings and the applicant's ability to meet them are as follows:
    - (1) *The use or a nonconforming use of similar or greater intensity permitted in the same zoning district or in a less restrictive zoning district has been in existence continuously for a period of at least ten (10) years prior to the date of the application.* Franchise Food Systems of Minnesota has conducted business at this address since at least 2001. This applicant has

provided invoices dated 2001 and 2002 that are billed to this address as evidence. This finding is met.

- (2) *The off-street parking is adequate to serve the use.* There are two parking spaces available in a garage with access off of the alley, as well as a surface parking lot owned by McDonald's located at the NW corner of Aurora and Marion that serves this use. This finding is met.
- (3) *Hardship would result if the use were discontinued.* Use of the property for residential and/or other uses permitted in the RT2 district provide for reasonable use of the property. This finding is not met.
- (4) *Rezoning the property would result in "spot" zoning or a zoning inappropriate to surrounding land uses.* Rezoning this property, which is on a residential street and surrounded by residential zoning, would be spot zoning. This finding is met.
- (5) *The use will not be detrimental to the existing character of development in the immediate neighborhood or endanger the public health, safety, or general welfare.* The use has not changed the exterior character of the property and will not be detrimental to the existing character of the area, nor will it endanger the public health, safety, or general welfare. This finding is met.
- (6) *The use is consistent with the comprehensive plan.* The Generalized 2030 Land Uses Map (Figures LU-B and LU-L) in the Land Use chapter of the Comprehensive Plan shows this property on the edge of a mixed use corridor (where a mix of uses is supported) and an established neighborhood (where the prevailing character is to be supported). The city-wide Land Use Plan and Generalized 2030 Land Uses Map refer to adopted small area plans and district plans for more specific guidance for development in areas where they apply. Central Corridor LRT Station Area Plans were adopted with a primary aim of managing and influencing change along the corridor. Areas of change and areas of stability were identified and refined through the station area planning process. The Rice Station Area Plan (adopted in 2008) shows the property at 260 Aurora in an area of stability, where significant change should be prohibited, with an emphasis instead on preserving and strengthening the integrity and character of the residential neighborhood. Change of the house at 260 Aurora to office use is not consistent with this. This finding is not met.
- (7) *A notarized petition of two-thirds of the owners of the described parcels of real estate within one hundred (100) feet of the subject property has been submitted stating their support for the use.* The petition was found sufficient on November 7, 2013: 15 parcels eligible; 10 parcels required; 10 parcels signed. This finding is met.

- I. **STAFF RECOMMENDATION:** Based on findings 3 and 6, staff recommends denial of the application for establishment of legal nonconforming use status as an administrative office at 260 Aurora Avenue.



**NONCONFORMING USE PERMIT APPLICATION**  
 Department of Planning and Economic Development  
 Zoning Section  
 1400 City Hall Annex  
 25 West Fourth Street  
 Saint Paul, MN 55102-1634  
 (651) 266-6589

**RECEIVED**  
 OCT 29 2013  
 Per \_\_\_\_\_

Zoning Office Use Only  
 File #: 13-247-474  
 Fee: 700.00  
 Tentative Hearing Date:  
11-21-2013

**APPLICANT**

Name BLD Property Mgmt  
 Address 260 Aurora Ave  
 City ST Paul St. MN Zip 55103 Daytime Phone 651-224-2000  
 Name of Owner (if different) Louis and Brend Henry  
 Contact Person (if different) Linda Buchal Phone 651-224-2000  
Cell 651-335-9826

**PROPERTY LOCATION**

Address/Location 260 Aurora Ave (PID 36-29-23-41-0030)  
 Legal Description Florence Addition to ST Paul W 1/2 of lot 10 & all of  
Lot 11 Blk 3 Current Zoning Residential class B  
 (attach additional sheet if necessary)

**TYPE OF PERMIT:** Application is hereby made for a Nonconforming Use Permit under provisions of Chapter 62, Section 109 of the Zoning Code:

- The permit is for: ☐ Change from one nonconforming use to another (para. c)  
☐ Re-establishment of a nonconforming use vacant for more than one year (para. e)  
☒ Establishment of legal nonconforming use status for use in existence at least 10 years (para. a)  
☐ Enlargement of a nonconforming use (para. d)

**SUPPORTING INFORMATION:** Supply the information that is applicable to your type of permit.

Present/Past Use Business management office

Proposed Use \_\_\_\_\_

Attach additional sheets if necessary

**RECEIVED**  
 OCT 29 2013  
 Per \_\_\_\_\_

Attachments as required ☐ Site Plan

☐ Consent Petition

☐ Affidavit

Applicant's Signature [Signature] Date 11/28/2013 City Agent \_\_\_\_\_

Response to Bullet point on the Nonconforming Use Permit

1. The use of 260 Aurora Ave does occur within an existing structure. All of the functions of this office are done solely on its property and doesn't interfere with any of the neighbors or adjacent healthcare business across the street.
2. The use of the property has been in existence continuously for the past 15 years. This can be shown by various forms from invoices paid, talking to the neighbors, talking to long term employees who have been at this location for the same period.
3. The off street parking is adequate. The office Employees Park at the McDonald's at 471 Marion St. which is a ½ block away so they don't interfere with neighborhood parking.
4. Extreme hardship would be devastating if the current use was not permitted. The operating entity owns and operates 2 McDonald's restaurants along University Avenue which has been crippled over the last 3 years by Lite Rail construction which has forced many other businesses to close. Having to find commercial office space that is not needed is simply an expense that we can't afford after having the 3 worse years our history. Small businesses also have unknown healthcare costs over the next years that are hard to put a financial figure on.
5. We are not asking for re-zoning, just a non-conforming use permit.
6. The use is no way detrimental to the existing character of development in the immediate neighborhood or endangers the public health, safety, or general welfare. It's our opinion that us being here enriches the neighborhood. There have been many foreclosures, vacant homes, and deteriorating properties in the Frog Town neighborhood over the last couple of years. Us being here and maintaining our property as we have been helps the area, not hurt it.
7. The use is consistent with the comprehensive plan, to continue using the property at 260 Aurora as our business office.
8. We have 11 property owners that have willing signed the petition for us to obtain the non-conforming use permit and continue as we have for the past 15 years.

Louis and Brenda Henry  
Property Owners  
260 Aurora Ave  
St. Paul, MN 55103







11100 Wayzata Boulevard, Suite 801  
Minnetonka, MN 55305  
800/844-9467

ATTN: A/P  
Franchise Food Systems of Minn  
260 Aurora Avenue  
SAINT PAUL, MN 55103

**INVOICE**

01/29/2002  
DATE OF INVOICE: 144943  
INVOICE NUMBER:

PAYMENTS ARE DUE ON DUE DATE. LATE  
CHARGE WILL BE ASSESSED IF PAYMENT IS  
NOT RECEIVED BY 5TH DAY PAST DUE DATE.

| CONTRACT NO. | DESCRIPTION       | CONTRACT/PAYMENT | SALES/USE TAX | LATE CHARGES | TOTAL DUE |
|--------------|-------------------|------------------|---------------|--------------|-----------|
|              | Kitchen Equipment |                  |               |              |           |
|              | H&K and Kopco     |                  |               |              |           |
|              | DATE DUE 03/01/02 | 654.65           |               |              | 654.65    |
|              | DATE DUE 02/01/02 | 654.65           |               |              | 654.65    |
| TOTAL DUE    |                   |                  |               |              | 1,309.30  |

IF THERE IS A CHANCE IN INVOICING ADDRESS OR  
EQUIPMENT LOCATION PLEASE COMPLETE REVERSE SIDE.

ZONING PETITION SUFFICIENCY CHECK SHEET

REZONING

SCUP

NCUP

FIRST SUBMITTED

RESUBMITTED

DATE PETITION SUBMITTED: 10-29-13

DATE PETITION RESUBMITTED: \_\_\_\_\_

DATE OFFICIALLY RECEIVED: \_\_\_\_\_

DATE OFFICIALLY RECEIVED: \_\_\_\_\_

PARCELS ELIGIBLE: 15

PARCELS ELIGIBLE: \_\_\_\_\_

PARCELS REQUIRED: 10

PARCELS REQUIRED: \_\_\_\_\_

PARCELS SIGNED: 10

PARCELS SIGNED: \_\_\_\_\_

CHECKED BY: \_\_\_\_\_

Paul Dubraiel

DATE: \_\_\_\_\_

11-7-13

Att

# CITY OF SAINT PAUL

## CONSENT OF ADJOINING PROPERTY OWNERS FOR A NONCONFORMING USE PERMIT

We, the undersigned, owners of the property within 100 feet of the subject property acknowledge that we have been presented with the following:

A copy of the application of BLO Properties McDonalds  
(name of applicant)

to establish a office of administration  
(proposed use)

located at 260 Aurora Ave ST Paul, MN 55103  
(address of property)

requiring a nonconforming use permit, along with any relevant site plans, diagrams, or other documentation.

We consent to the approval of this application as it was explained to us by the applicant or his/her representative.

| ADDRESS OR PIN | RECORD OWNER          | SIGNATURE           | DATE        |
|----------------|-----------------------|---------------------|-------------|
| 253 Fuller Ave | Debra Masly           | Debra Masly         | 10/22/2013  |
| 247 Fuller Ave | Melba R. Cyria        | Melba R. Cyria      | 10/22/13    |
| 263 Aurora Ave | Eugene Read           | Eugene Read         | 10-22-13    |
| 259 Fuller Av  | James & Sally Jacques | Sally Jacques       | 10-22-13    |
| 261 AURORA     | LAURA L PERDUE        | Laura L Perdue      | 22 OCT 2013 |
| 244 Aurora Ave | Thai King             | Thai King           | 10-22-13    |
| 248 Aurora Ave | Joetta Schlabach      | Joetta Schlabach    | 10.22.13    |
| 254 Aurora Ave | Paula L. Hutchinson   | Paula L. Hutchinson | 10-23-13    |
| 243 Fuller Ave | W. L. Lutz            | W. L. Lutz          | 10/23/13    |
| 245 Fuller Ave | Donny Lindquist       | Donny Lindquist     | 10/23/13    |
| 4456 ALTIER ST | Tom Thibault          | Tom Thibault        | 10-25-13    |
|                |                       |                     |             |
|                |                       |                     |             |

NOTE: All information on the upper portion of this application must be completed prior to obtaining eligible signatures on this petition.

# CITY OF SAINT PAUL

## AFFIDAVIT OF PETITIONER FOR A CONDITIONAL USE PERMIT OR A NONCONFORMING USE PERMIT

STATE OF MINNESOTA)

SS

COUNTY OF RAMSEY)

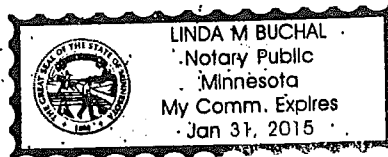
The petitioner, Louis C. Henry, being first duly sworn, deposes and states that the consent petitioner is informed and believes the parties described on the consent petition are owners of the parcels of real estate described immediately before each name; each of the parties described on the consent petition is an owner of property within 100 feet of the subject property described in the petition; the consent petition contains signatures of owners of at least two-thirds (2/3) of all eligible properties within 100 feet of the subject property described in the petition; and the consent petition was signed by each said owner and the signatures are the true and correct signatures of each and all of the parties so described.

Louis C. Henry  
NAME

2220 Kenwood Court  
ADDRESS Maplewood MN 55117  
651-335-9026 (cell)  
TELEPHONE NUMBER

Subscribed and sworn to before me this

28 day of Oct, 2013



Linda M. Buchal  
NOTARY PUBLIC

# CITY OF SAINT PAUL

## AFFIDAVIT OF PERSON CIRCULATING PETITION

STATE OF MINNESOTA)

:SS

COUNTY OF RAMSEY )

Shereda Scott, being first duly sworn, deposes and states that he/she is the person who circulated the consent petition consisting of 1 pages; that affiant is informed and believes that the parties described on the consent petition are the owners of the parcels of real estate described immediately before each name, and that each of the parties described on the consent petition is an owner of property within 100 feet of the subject property described in the petition and all property contiguous to the subject property that was owned, purchased or sold by the petitioner within one (1) year preceding the date of the petition; that the consent petition was signed by each said owner; and that the signatures are the true and correct signatures of each and all of the parties so described.

Shereda Scott

NAME

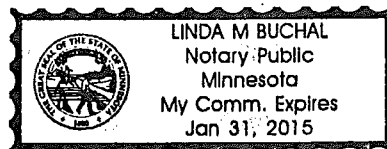
1996 County Rd D #303

ADDRESS Maplewood mn 55109

651-587-2103

TELEPHONE-NUMBER

Subscribed and sworn to before me this  
28 day of October, 2013.



Linda M Buchal  
NOTARY PUBLIC

File

OFFICE OF LICENSE, INSPECTIONS AND  
ENVIRONMENTAL PROTECTION

Robert Kessler, Director



CITY OF SAINT PAUL

Norm Coleman, Mayor

LOWRY PROFESSIONAL

BUILDING

Suite 300

350 St. Peter Street

Saint Paul, Minnesota 55102-1510

Telephone: 612-266-9090

Facsimile: 612-266-9099

612-266-9124

September 27, 1995

Louis C. Henry  
Franchise Food Systems of Minnesota, Inc.  
471 Marion Ave S.  
St. Paul, Mn. 55103

RE: 260 Aurora Ave.

Dear Mr. Henry:

Thank you for your letter of September 23 regarding your proposed office use at the referenced address. First of all, let me assure you that Mayor Coleman and all of us in city government, are working to provide a safe, clean, attractive environment for business and residents in St. Paul.

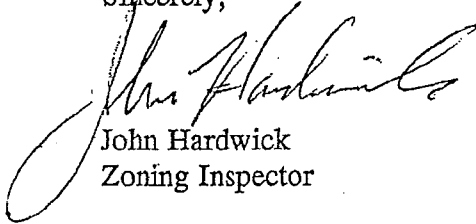
The referenced property is located in an RT-2, townhouse residential, zoning district. As noted in the information sheet, home businesses are allowed in residential districts provided that they meet certain conditions and that they don't change the residential character of the neighborhood. Your proposed use, as explained to me by Mr. Ritter, is a use that is more appropriate in a commercial or office zoning district. Although Mr. Ritter does not mention it in his letter to you, I did point out to him that there are some alternatives. First, you may consider rezoning the property for office use. As you pointed out in your letter, it is adjacent to several businesses. I referred Mr. Ritter to Kady Dadlez, 266-6582, in our planning office for information on the rezoning process. I also referred Mr. Ritter to the business development division of PED, 266-6655. They may be able to assist you in finding a suitable alternative location for your office.

Mayor Coleman has formed a Business Review Council, made up of members of the business community, city staff and community residents, to review regulations affecting businesses. If there is a specific regulatory issue you think needs to be addressed you are welcome to bring it to the attention of the council by contacting Robert Kessler, Director of LIEP, who also serves as staff to the council.

Once again let me assure you that the City of St. Paul welcomes business and industry and we are committed to making St. Paul a great place to live and do business.

If you have any questions concerning this matter you may contact me at 266-9082.

Sincerely,

A handwritten signature in cursive script, appearing to read "John Hardwick". The signature is written in dark ink and is positioned above the printed name and title.

John Hardwick  
Zoning Inspector

cc: Mayor Coleman  
Robert Kessler



FRANCHISE FOOD SYSTEMS OF MINNESOTA, INC.  
471 Marion Ave. S.  
St. Paul, MN 55103  
(612) 224-7535  
FAX (612) 224-1696

September 23, 1995

Mayor Norm Coleman  
City of St. Paul  
390 City Hall  
St. Paul, MN 55102

Dear Mayor Coleman,

A while back I discussed with you that the city and business should be able to work together for the betterment of the total St. Paul community. As a businessman and a member of the private industry of St. Paul, the community is very important to me. I sometimes feel that in some instances the city government really works against business and the community as a whole. The following is a case and point. I am considering having a private office in the community basically to have a place to do paperwork, payroll and a place to meet with my store managers. I wanted to purchase a VACANT house behind the Marion Store at 260 Aurora. We know what has happened to some vacant homes in these neighborhoods. They have been boarded up and some are turned into crack houses. It is important to me to invest in the community. I didn't feel zoning would be a problem because in the first three blocks of Aurora are a large nursing home, a parking lot, an apartment, a chiropractic office and a union trade's building. We were initially told it may be a possibility of getting a home occupation residence use permit if someone involved in the business resided there, which could have been met. I have attached a copy of the guide lines. It appears that we are being turned down because I may occasionally have the store managers over for a meeting or orientations which may include 3 to 5 people. There are houses on Aurora where 10 to 15 people are living in a single dwelling. Mayor, take a look at the area you can see that property is deteriorating, many houses are in disrepair, houses are For Sale and some houses in the area were torn down. I became interested in a vacant house because Minneapolis has been trying to get businesses and individuals to invest in vacant houses in that city. I felt it was good idea. Even though I operate stores in Minneapolis, I wanted to be in St. Paul, it would be real easy to go to White Bear Lake, Maplewood or Roseville. I felt it was important to make a statement in the inner city.

In dealing with city government there seems to be very little flexibility. History has shown us what happens when property is vacant and the neighborhood deteriorate. In the long run it cost the city more.

#7494  
471 Marion Ave. S.  
St. Paul, MN 55103  
(612) 224-7535

#7563  
2400 Nicollet Ave. S.  
Minneapolis, MN 55404  
(612) 870-9706

#3483  
Midway Shopping Center  
1468 University Ave.  
St. Paul, MN 55103  
(612) 647-1777

#3525  
2213 University Ave.  
St. Paul, MN 55114  
(612) 644-8333

#7063  
4435 Lyndale Avenue North  
Minneapolis, MN 55412  
(612) 521-7122



Mayor, you have always been extremely fair, progressive and we have been friends. I wanted you to know how I felt because you have always had the greater good of St. Paul at hand. This is a great city with so much potential. I feel that business is viewed by some in city government as a necessary evil. This is unfortunate we should be able to work together as a team. I feel real disheartened by the process. Even though I may have to office in Minneapolis my heart is in St. Paul. Thanks for listening.

Best Regards,

Louis C. Henry

Enclosure

cc: Zoning and Planning Administrator

**RITTER & FENSKE, LTD.**

**ATTORNEYS AT LAW**

**461 UNIVERSITY AVENUE**

**SAINT PAUL, MINNESOTA 55103**

**JEROME A. RITTER**

**JEFFREY J. FENSKE**

**(612) 222-6700**

**FAX 222-1263**

September 22, 1995

Mr. Louis Henry  
471 Marion Street  
St. Paul, MN 55103

Re: 260 Aurora  
Our File No. 3844-1

Dear Mr. Henry:

I am enclosing for your information a copy of the information sheet I received from the City of St. Paul setting forth the criteria utilized by the city to evaluate whether or not a business fits within the "owner/occupied" exception to the zoning regulations. After receiving this material from the City of St. Paul I spoke with John Hardwick relative to your intended use of the 260 Aurora property. I explained to Mr. Hardwick the premises would be utilized primarily for the purpose of handling administrative functions such as processing payroll and handling other administrative functions. I did indicate that occasionally meetings would take place with various store managers present. Such meetings would have from three to five people involved. I also indicated you intended to conduct employee orientation on the premises from time to time. Such orientation would involve the viewing of video tapes and training materials provided by the McDonald's Corporation. Orientation sessions would probably have only two or three employees attending at a time. I also pointed out that off street parking is available on the subject premises and that if additional parking were required you have a parking lot available at Marion and University. I assured the City of St. Paul that the present street parking situation would not be further burdened with your intended use of 260 Aurora. You certainly have ample parking available at the east end of the block where the subject premises is located.

Mr. Hardwick indicated to me that utilization of the property for the purpose of meetings with management and orientation sessions as described above would not be included within the criteria which are acceptable to the City of St. Paul. It would certainly appear after my conversation with Mr. Hardwick that the City of St. Paul would not permit you to utilize 260 Aurora as you have proposed.

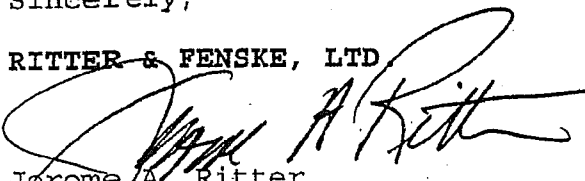
I will continue to explore other potential sites or properties. I will continue to work with the understanding that you would prefer to have

Mr. Louis Henry  
September 22, 1995  
Page 2

an administrative office located within the City of St. Paul and as close to your Marion Street store as possible. I will also keep you advised regarding any potential properties located outside the City of St. Paul.

Sincerely,

RITTER & FENSKE, LTD.



Jerome A. Ritter

JAR/kd

Enclosure

## Holmes, Hilary (CI-StPaul)

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**From:** Laura Perdue <perdu002@umn.edu>  
**Sent:** Tuesday, November 12, 2013 12:54 PM  
**To:** Holmes, Hilary (CI-StPaul)  
**Subject:** File # 13-247-474

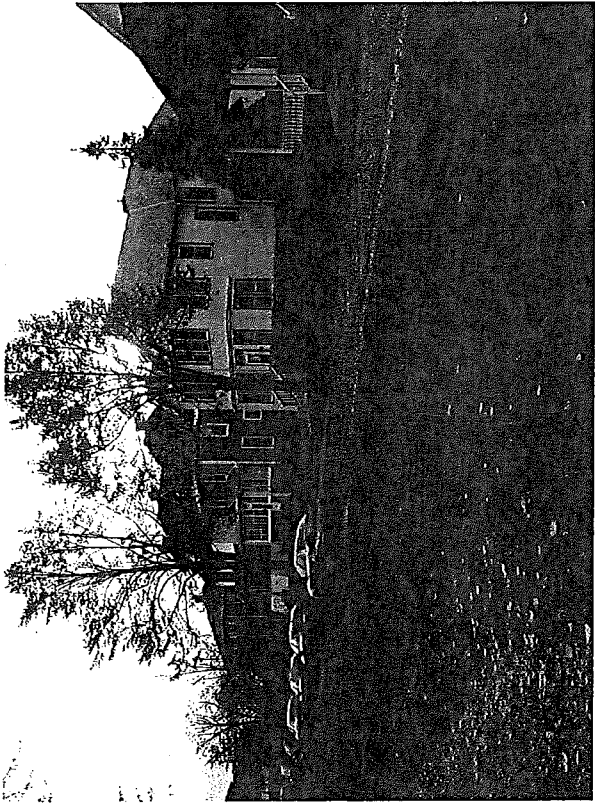
Ms Holmes,

I am a homeowner in the neighborhood of the address listed for the zoning meeting on Thursday 21 November. In fact, the address is 260 Aurora Avenue and I live across the street at 261. Please accommodate the McDonald's office in whatever way is best for them. They have been consistently great neighbors (sidewalk shoveling, yard maintenance) and are a friendly group. In short, no complaints of any type. I hope we can keep great neighbors happy!

Thanks for your time on this.

Laura L Perdue  
261 Aurora Avenue  
Saint Paul, MN 55103  
651-224-8308

## 260 AURORA AVENUE



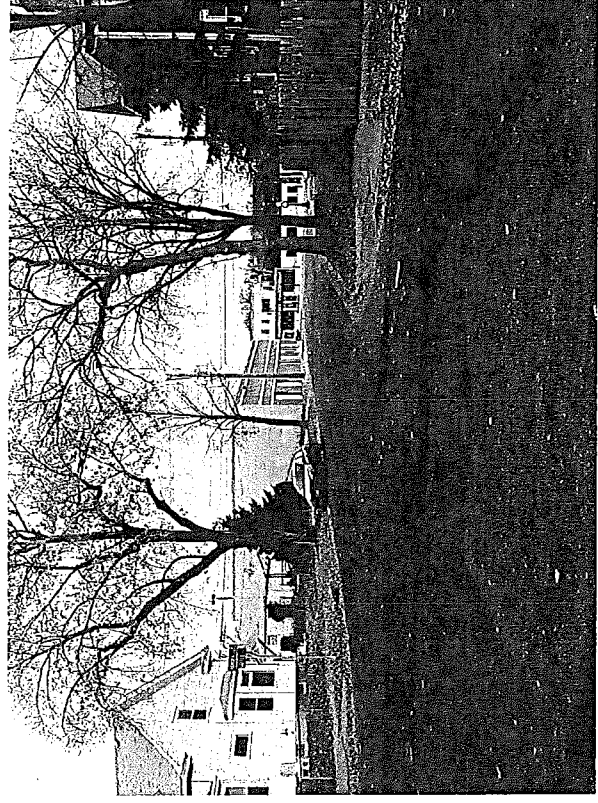
Looking Southeast down Aurora at Galtier



Looking West down Aurora at Galtier



Looking Northeast down Aurora at Galtier



Looking North on Galtier from Aurora

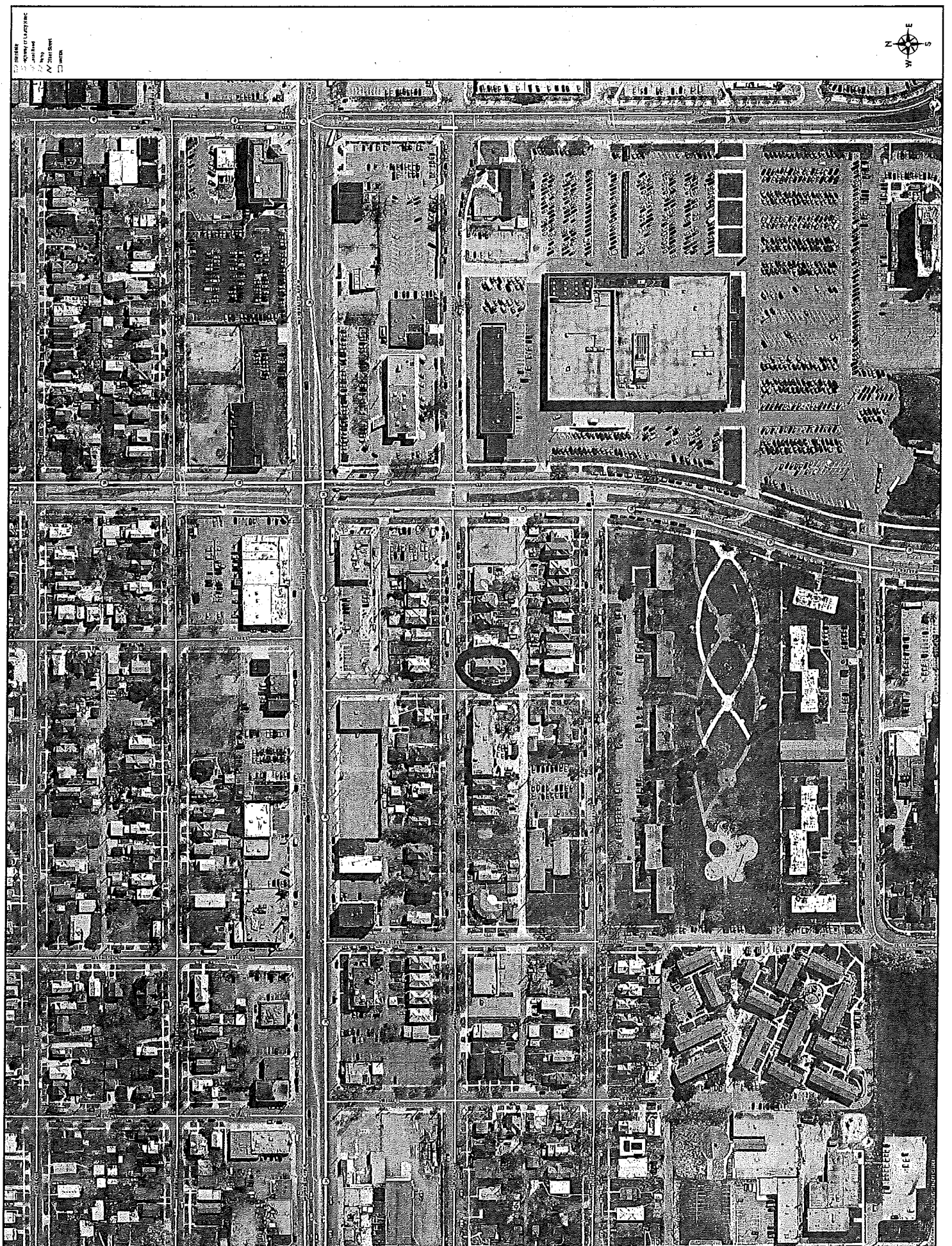
# GISmo Oblique Photography

Images courtesy of: Microsoft® Virtual Earth™ 2006

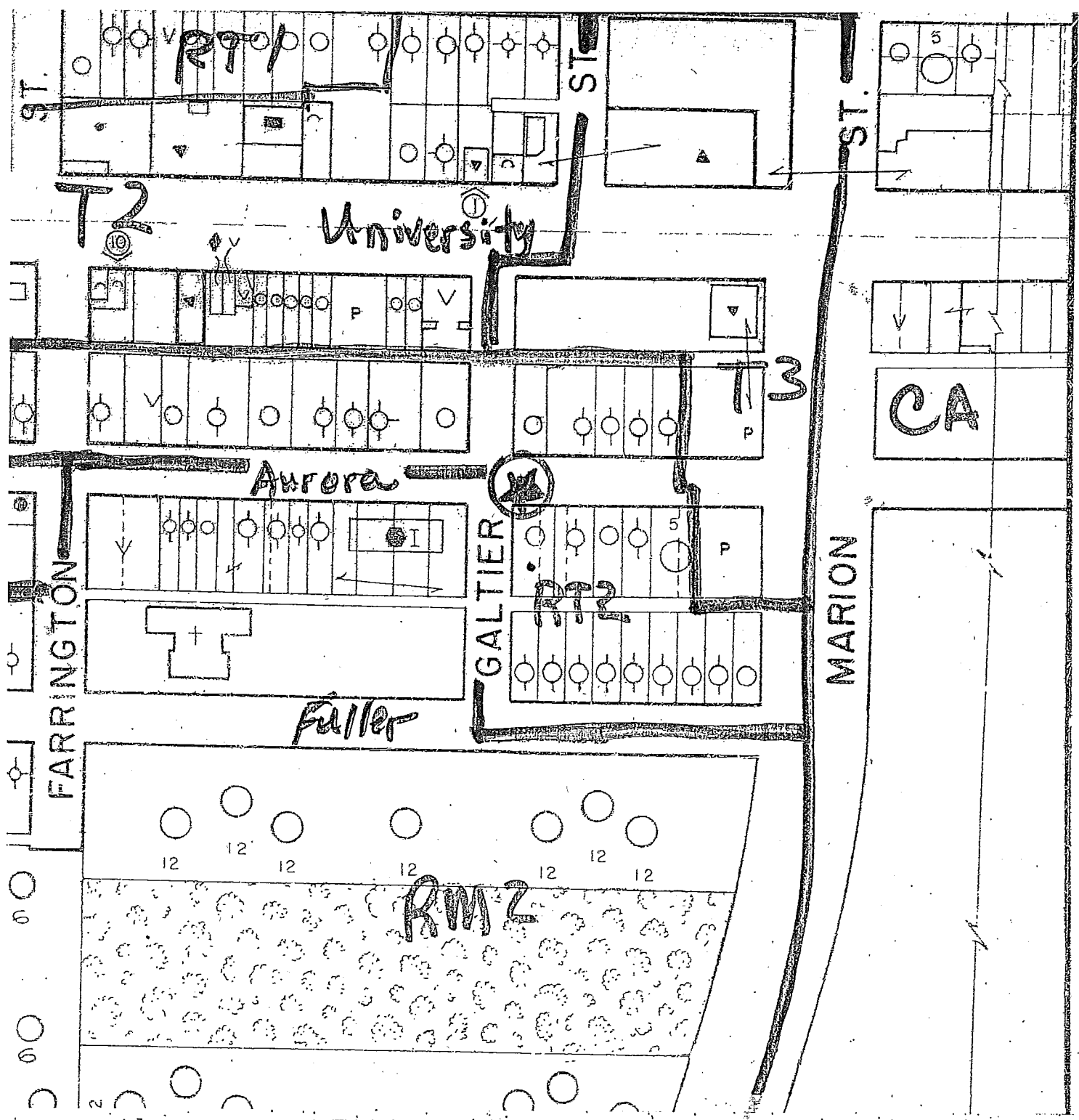
☒ Show Dashboard ☐ Show Reference Map







1. INTERIOR  
2. STREET & LANDSCAPE  
3. CITY PLAN  
4. STREET VIEW  
5. MAP



APPLICANT BLD Property Management  
 PURPOSE NCUP - Establishment  
 FILE # 13-247474 DATE 11-7-13  
 PLNG. DIST 8 Land Use Map # 20  
 SCALE 1" = 400' Zoning Map # 15

**LEGEND**  
 \_\_\_\_\_ zoning district boundary  
 ▨ subject property  
 ○ one family  
 ⊙ two family  
 ⊕ multiple family  
 ● ▲ ○ commercial  
 ◆ industrial  
 V vacant

north